

Spring 4-22-2015

Senate Meeting, April 22, 2015

Academic Senate
Illinois State University

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Academic Senate Minutes
Wednesday, April 22, 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 April 8, 2015

Motion XLV-149: By Senator Thurman, seconded by Senator Lessoff, to approve the minutes with the addition that it was the Assistant University Counsel Wendy Smith who spoke at the meeting. The minutes were unanimously approved as revised.

Presentation: Underrepresented Groups (Troy Johnson, Associate Vice President of Enrollment Management)

04.17.15.01 Underrepresented Groups Report

Dr. Johnson: The written report has two sections. The first being the descriptive data about our diversity on campus and the second being a reference list of some accomplishments and various tactics and strategies that flow from our strategic plan, Educating Illinois. Looking at the students who were new to campus in 2014, nearly one of every four of them is from an underrepresented group compared to one out of five two years ago. The largest increase is an additional 37 African Americans first-time freshman students, a 13% increase from the previous year and an additional 107 Hispanic first-year freshmen, a 35% increase from the year before. Looking at total enrollment, the campus is more diverse this fall. We have arrived at an enrollment level in which one of every five students on campus is non-White, with our percentage being 22%. This represents a dramatic numerical change since the fall of 2010. Since then, we have increased 46% in this category, having 1,264 more non-White students enrolled that we did just four fall semesters ago.

Looking at first-time student persistent rates, our Hispanic persistence rate has declined for the fourth year in a row, recently from 77.4% to 74.3%. The persistence of African American students decreased after a high year last year from 80.2% last year to 71.8% this year. The good news is that of the large freshman class that we enrolled in 2014, their registration in the spring semester of 2015 is higher than we usually see.

Looking at six-year graduation rates, the overall graduation rate reached an all-time high of 71.8%. This is among the very highest in the country. The graduation rates of both African American students and Hispanic students also increased. Recognized is a gap between the graduation rates overall and those of underrepresented students. Even though that the gap is commonly found at national universities like ours, it is a gap that we strongly desire and are working to close,

There are many strategies and tactics in the report and there are many campus-wide in addition to these. The Divisions of University Advancement, Academic Affairs and Student Affairs each have recruitment and retention initiatives that are ongoing; not all are listed in the document.

Looking to the future, our diversity should continue to grow, indeed it must grow. A part of the growth will come by sheer force of demography. The opportunity before us is to deliver a welcoming university environment and curricular experiences that lead to enrolling a great mix of students who continue to enjoy very high graduation rates. So our success in attracting and graduating talented students of many backgrounds, particularly the growing Hispanic population, is more than just a of topic interest in our annual report. It is entwined with our university's future prosperity,

In closing, I would like to say that I am very grateful for the contributions you make to our students. With that, I will be happy to hear your thoughts and questions.

Senator Stewart: Just for comparison, do you have any idea what the national six-year graduation rate is?

Dr. Johnson: Our six-year graduation rate is about 15 points above the national average. To put it into context how high this rate is, there was an initiative underfoot that we have been invited to join among the most elite universities in the country. These universities have decided that one method to increase access of underrepresented groups is to offer a special application for the admission process that only the most elite universities would allow and that eliteness is defined by universities with a graduation rate of 70% or higher. If you think of these 120 to 140 universities that make the cut, you can imagine the first few schools on the list—Harvard, Princeton, etc. At the bottom of the list, it starts up in this order: Purdue, Iowa State and then Illinois State. We are very fortunate to be on this list and we are looking forward to the possibility that this will help in this regard related to diversity on campus.

Senator Ellerton: Do you have any statistical data about the percentage of minority groups who work significant hours while studying full time and whether that is contributing to the gap in the graduation rate?

Dr. Johnson: I don't have data about Illinois State specifically. There are some data that suggest underrepresented students do tend to have jobs more frequently nationally. We would want to verify that with our own data.

Senator Kalter: We have lost a little bit of ground with respect to recruitment and enrollment of American Indian and Alaskan Native students over the past year or two. Have you been able to identify in state and close by out of state high schools with comparatively large populations of American Indians and Alaska Natives and establish links like the ones described on page 7 for recruitment and outreach?

Dr. Johnson: To a degree, Senator Kalter. The university has just graduated its largest class of American Indians with about 14 graduates so our total number on campus has gone down quite a bit by that large graduation number. Our incoming freshman class was down from the year before by a couple, but is up by a couple over two years ago. It's up and down. The challenge with this market is that it is perhaps one of the most difficult markets in terms of student recruitment. It requires a lot of understanding of these high schools, understanding of the students, understanding of their backgrounds and finally building very close relationships to get pipelines. It is quite a bit different than typical recruitment strategies. Unlike Hispanic and African American populations, which we at least have critical mass, this group we don't, so the difficulties in recruitment of this population in general are compounded by the fact that we don't have a critical mass here. The market potential is small in terms of numbers. What we are working on doing, and this applies to all students, but particularly this group, is working after we have received the identification of the student so once we receive a prospect, we are very assertive about our follow-up with them and very appropriate.

Senator Kalter: What have we done to work with individual students who are graduating in University Studies to figure out the reason why they ultimately enrolled in that program? One of the findings was that that was disproportionately populated by underrepresented students.

Dr. Johnson: I did not get to dig into the underrepresented aspect as much. We did get to explore it on campus, but not in an underrepresented student way, which is what this report is about. It is something that we want to look at from an underrepresented student perspective. I would like a little more time to investigate that particular aspect.

Senator Kalter: I would be happy to defer that discussion for fall.

Senator Schneider: I was at American University when they were trying to increase the Native American population. One of the things they did was start to have summer pow-wows and brought local tribes and nation

states to come and have celebrations on campus. Their population skyrocketed. With Illinois being home to many native nations, that might be something we want to consider.

Senator Kalter: There was a time in our history when there was a local pow-wow. We did not go in that direction because of various sorts of sensitivities around what was happening politically, but it might be a good time to look at that again.

Dr. Johnson: I appreciate the suggestion and the context that you have added to that. It has to be the right environment; that is the complexity of this market. The design for this market should also be a sustainable design because one-shots don't work. It has to be relationship built with a long-term relationship plan.

Senator Crowley: I am wondering about the Hispanic population that we cannot retain as well as we would like to. What can we do to increase retention?

Dr. Johnson: This data suggest that we will be paying quite a bit of attention to that. We will be finding out different attributes of the students. Are the students we are losing from particular regions in the state? Is it income level; is it aid packaging?

Senator Lessoff: I had a question about non-resident aliens. It lists 2% as of fall. Does that include exchange students?

Dr. Johnson: The non-resident aliens would include students who are not citizens and not permanent residents.

Senator Rich: I have a question about persistence data and whether we see similar down turns when you look at family income, both independent of underrepresented groups and within underrepresented groups.

Dr. Johnson: Our national and local data would suggest that is accurate.

Senator Kalter: Thank you and we will see you again next year.

Chairperson's Remarks

Senator Kalter: We will have a long meeting tonight, so I am going to defer most of my comments until Communications. Congratulations to Amy Hurd for her appointment as the Director of Graduate Studies and happy Administrative Professional Day to Cynthia James who has some appropriate flowers in front of her. I am going to turn it over to the outgoing Student Body President and he will turn it over further.

Student Body President's Remarks

Senator Joyce: Last Sunday, we had our transitions, so I will yield to our new Student Body President, Ryan Powers.

Senator Powers: Today we headed down to Springfield for Lobby Day. It was a great success. We got to talk to many legislators about the concerns we had with budget cuts. This Friday, we will have the first ISU vs. Police Basketball Game. There will be three police teams versus four student teams. It's a good way to start a conversation with them. In a couple of weeks, we will have our end of semester Club Milner Sunday before finals in the Milner plaza, 10:00 p.m. to 10:10 p.m. This year, the theme is the circus and I am also looking forward to the vote on the Student Code of Conduct and looking forward to passing it.

Senator Winger: What legislators did you meet with?

Senator Powers: The first representative was the equivalent of Michael Madigan. It was a good talk with her. We met with Senator Brady and had a good conversation. We were able to give the student perspective on these budget cuts. We tried to make it more of an emotional story instead of just numbers so that it connects more with them. We also talked with Senator Rose and Representative Reggie. Most of the senators and

representatives were in session so we had to catch them in the hallways, so we weren't able to talk to as many as we wanted to.

Senator Winger: There was a group that was organizing on campus.

Senator Powers: STEP (Stand Together for Educational Progress) went out last Friday and to my knowledge that was also successful and they got a chance to talk to the assistants in the governor's office.

Senator Winger: Thank you for doing that. I think your voice weighs more than ours would with the legislature.

Administrators' Remarks

- ***President Larry Dietz***

President Dietz: During the last meeting of this group, I was speaking at a memorial service for those that were lost in the plane crash. Thank you to those of you who expressed your sympathy to the families. My hat is off to Larry Lyons and Jay Groves for the leadership they provided. Please keep those families in your thoughts as they move forward.

Also, that same night, I accepted an award on behalf of the university from the Baby Fold. Lots of faculty, staff and students do lots of really good things at the Baby Fold. They had their annual banquet and they wanted to recognize the university as their outstanding partner of the year. I want to say thanks to the students for going to Springfield. You are exactly right, Senator Winger, that when I show up, they expect me to say particular things. When students show up, they have individual stories to tell and that makes a big difference to the legislators.

Thanks to those of you who participated in writing comments for my evaluation. I appreciated that. They are all anonymous, but I received the ones from students, faculty and staff and I have read through those and will learn from that. Also, congratulations to the newly elected students on the Senate. I look forward to working with all of you. We also have a new Student Trustee, so congratulations to Connor Joyce on that.

I want to say thanks to the accreditation team. This was a visit that happened earlier in the week. I met with the chair of that team at the exit. He couldn't really tell us how we did because that comes out in a draft report and a final report. He said he has been doing this for a long time and he was duly impressed by the positive attitude of everybody that he worked with, the openness, the willingness to learn. He said that there was a demonstrated esprit de corps that he has rarely found any place that he had ever been.

Thank you to Troy Johnson. He and his team really do an incredible job. This has been a very tough year with LEAPForward challenges, but he brings a knowledge and a passion for this institution that is rarely found.

My last congratulations is to Dean Major. If Provost Krejci will send him my kind regards tomorrow night; I will not be able to be at his reception. I will be in Chicago with a lot of other members of the search committee for the Vice President for Advancement. We have our airport interviews tomorrow for five candidates. We are hoping to narrow that list even further to bring people to campus.

Last Saturday, we had a Board of Trustees' meeting. Our two new trustees, Bob Dobski, is returning to the board and Marianne Louderbach was very active here when she was with the Alumni Association. Those two individuals drove down and met with the rest of the trustees on the budget. On May 8, we plan to introduce some tuition and fee recommendations. At that point with a vote on tuition and fees, there will be a special meeting on the 30th of May.

We are getting close to the end of the year with a lot of students with a lot of papers due and a lot of faculty will have a lot of papers to grade and I just wish everybody well as we charge to the finish line.

- ***Provost Janet Krejci***

Provost Krejci: I too want to express my sympathy to the community for the tragedy that we all went through and again to watch what this community did to come out for these families was incredible. I also want to thank the students for their interactions with legislators and their commitment to have their voice be heard. Congratulations to Connor for being elected to the Board of Trustees and congratulations to Ryan Powers.

I wanted to thank the entire Higher Learning Commission Team, led by Jim Jawahar, with incredible support from Bruce Stoffel and Jon Rosenthal regarding federal compliance. All of the individuals on the work teams were tireless in their efforts and contributions. Individual thanks to Chairperson Susan Kalter because I think she might have attended every single session.

I want to echo the community in saying goodbye to Jim Major. He has been dean here since 2007, joining ISU in 1995, initially as Director of Choral.

We have right now 13,125 apps for fall 2015 and we have 10,483 admits. Our enrollment deposits are at 3,018 and that is down 4% from last year at this time. As of 4:30 p.m., we have 9,530 students who have registered and kudos to Jess Ray and his group for all of the work that they have done given our new system.

The CFA dean finalists were here last week and the search committee is formulating its report that I should get tonight or tomorrow and we will hope to make a decision soon on that search.

We will be searching both for the College of Business Dean and the Mennonite College of Nursing Dean next year. Because the COB hiring cycle is usually a little ahead of the other disciplines, we have already started to form the panel of ten for that search. We do not have all of the names in, but Tony Lorsbach will be the chair of that search and Mark Walbert will be the Provost Liaison/Secretary. We hope to advertise over the summer and move forward quickly in the fall so that we are in line with the COB cycle.

I have met with the College of Nursing and they will kick that off early in the fall. We will also be searching for the Associate Vice President for Graduate Studies and Research. We will probably stagger that because it will be a busy time for that. Lastly, since March had a cancellation of the Senate meeting and I was at the summit in Panama during the first meeting in April, I have not had the opportunity to thank all of you who sent me the most wonderful notes and calls to welcome me as permanent provost. I am eternally grateful for the support I have received and I am deeply honored to serve at this most important time in our journey at ISU.

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

Senator Paterson: Recognizing that there is a long agenda tonight, I will just do the thanks and congratulations from President Dietz and Provost Krejci and forego any other comments at this time.

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

Senator Alt: To add to President Dietz comments about next year's budget, we did receive a FY15 midyear rescission from the state, along with all of the other public universities, of 2.25%, which translates into \$1.47 million. That is something that we have been planning for since last November. I will also mention a new capital project that will be starting soon regarding upgrading space on the second floor of Hovey Hall to enhance the visitors' experience to the Admissions Office. That will start this summer. Along with that project, we will do some work on the replacement of the roof on Hovey and the quad entrance to Hovey Hall will have some renovations done.

Action Items:

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

Senator Lessoff: One of the things we were arguing for in the report is some new ways of discussing the data and clarifications. The Provost's Office worked with us in great detail to produce the documents that Dr.

McGuire presented last time. Senator Ellerton proposed a friendly amendment. On page 3, the second to last paragraph, “as an alternative approach” has been revised “as a potentially more productive approach”.

Motion XLV-150: By Senator Lessoff to approve the AIF Report.

Senator Ellerton: The reporting through this document is to aim for greater transparency and the work would continue. Inherent in the phrasing, is there enough impetus in the document that the work continues? I would like people to be aware of that and the administration that it is an ongoing piece of work.

Senator Lessoff: That is absolutely the intention.

The motion was unanimously approved.

04.01.15.01 Student Code of Conduct – Revised 4/1/15 (Rules Committee)

Senator Bushell: The Rules Committee worked on one section of the Code, but we are not the authors of the Code.

Motion XLV-151: By Senator Powers, Student Body President, to approve the Student Code of Conduct.

Senator Horst: The College of Fine Arts College Council raised some concerns about some of the language. I would like to speak about the text on page 12. Section VI talks about sexual misconduct and the violations include exposing one’s intimate body parts. When you talk to an art faculty and they tell you about figure drawing classes where you have a nude model come in and expose their body parts, or if you to talk to theatre faculty and they talk about *Cabaret* where they had a nude scene, this language is vague and problematic with respect to the arts. I would like to make a motion to add some language to this section which will exempt activities that are art and education based.

Motion XLV-152: By Senator Horst, seconded by Senator Bushell, to add language after the sentence on line 47, which reads “Informed consent must be freely and actively given through mutually understandable terms or actions.” The addition would read “Attending an artistic or educational event or class in which nudity occurs and for which advance notice of nudity has been provided qualifies as informed consent.”

Senator Powers: I feel that the message you are trying to get across is already stated in the first sentence which says “which is committed without the full and informed consent of all persons involved”. I think that sentence captures the problem you are stating.

Senator Horst: The CFA council had real problems with the idea of saying that nudity is at all a behavior that is sexual misconduct and they wanted to have a specific exemption for artistic activities.

Senator Bushell: I would support the amendment. I think it speaks to certain situations that occur and I would add to it circumstantial detail where professors can place statements in their syllabi to speak clearly about models as a part of the situation. There are opportunities for communicating to a potential group that might experience nudity. That feels like a good opportunity for clarity.

Senator Horst’s motion was unanimously approved.

Senator Eckrich: On page 2, there is a sentence that I don’t understand. Line 24 reads “For the purpose of this Code and the procedures used to enforce university expectations, assures written notice and a hearing before an objective decision maker.” Something is missing.

Senator Kalter: I believe the cross out came from using the words “due process”. It is in the last paragraph of the Preamble. I think it is supposed to say...

Dr. Munin, Dean of Students: It should read “For the purposes of this Code, the procedures used to enforce university expectations assure written notice...”

Senator Kalter: I am going to take that as an editorial amendment.

Senator Gizzi: I object to the notions of due process. I don't know if just removing the words due process alleviates my concerns. Any time anyone can be suspended based on really nothing but a police report, which is a one-sided document designed to convince a prosecutor to make charges, I'm left profoundly uncomfortable.

Senator Kalter: Are you arguing for an amendment?

Senator Gizzi: I don't know what the amendment is; I am debating this overall document and I am bothered by the fact the protection of due process of students doesn't even exist now and I am deeply ingrained with an adversarial process and a protective process. I don't necessarily see that in here.

Senator Bushell: Doesn't offering a hearing provide an opportunity for the student to respond instead of just getting a charge against them?

Senator Gizzi: What has changed the due process in terms of the resources students have available to them?

Dr. Munin: There is really no change. We added an additional resource of the consultants who are faculty, staff and students that will be trained in the conduct process so they can receive assistance in providing their story.

Senator Gizzi: My concern is tied to when immediate action is taken to remove someone from campus. That is entirely based on what the cop writes in the report. There is a hearing later. I am not sure how educational some of our fine processes are here. I am of the mindset that we should take a closer look at our own philosophy.

Senator Winger: I don't think that there is anything we can do about that right now. When would be the next time the Senate would be able to revisit the question from Senator Gizzi?

Senator Kalter: The second week of August, 2015. Any campus member can ask us to review any policy at any time.

Senator Gizzi called the question.

The Code as amended was approved by the Senate with the exception of one abstention.

04.03.15.04 Blue Book Revisions for SGA, UHP, SAB, SGC (Rules Committee)

Senator Kalter: During the discussion last time, I brought up three small amendments to the Blue Book on the floor. Senator Bushell concurred that those were good ideas. Essentially, what we were doing on the first page for the Student Government Association, the body that used to hear this was called the Student Code Enforcement and Review Board and we were trying to make sure that that is the University Appeals Board. We are also moving the regular review of the Code from the University Appeals Board to the SGA and...can anyone remember the third one?

Dr. Munin: It was the moving of, in the University Appeals Board, we had five staff members listed as nominated by the Student Government Association and it got moved under being nominated by the Vice President of Student Affairs.

Senator Kalter: I think my other one was just a question about something that did not have any changes. Those are the changes to the Blue Book to correspond with the new Student Code of Conduct.

Motion XLV-153: By Senator Bushell to approve the proposed changes to the Blue Book.

Senator Fazel: Under Student Government, item #6, the Student Code Enforcement and Review Board Grievance Committee. Is that the old grievance committee?

Senator Kalter: Yes.

Senator Fazel: Under External Committees, University Appeals Board (11). Is that the membership, because the membership has changed to 16?

Dr. Munin: My edited version has 16.

Senator Fazel: The other one is the chairperson of the University Appeals Board appointed by the Vice President of Student Affairs is not ex-officio anymore, so we should cross out ex-officio.

Dr. Munin: My edited version has that crossed off.

Senator Kalter: My understanding was that the Chairperson of the University Appeals Board was an ex-officio, non-voting.

Senator Fazel: It can be non-voting, but if it is appointed by the VP; it is not ex-officio.

Senator Kalter: Ex-officio means as a function of the office so that if you are in a particular office, you will be appointed.

Senator Fazel: That's why it shouldn't be there.

Senator Kalter: You are saying because Senator Paterson can appoint Dr. Munin one year and Rick Olshak another, it is not ex-officio.

Senator Fazel: It is an appointed membership; it is not ex-officio.

Senator Kalter: Was that the intent to have the VP of Student Affairs to have total discretion over who he or she appoints?

Dr. Munin: Yes.

Senator Kalter: So we will cross out ex-officio as a friendly amendment.

Senator Fazel: For functions of University Appeals Board, the last line, we crossed that out in Rules. In my version it is still there.

Dr. Munin: It is gone.

Senator Kalter: This is the line that reads the University Appeals Board reports on all other matters to the Student Government Association. Can somebody remind me why that was crossed out? Is it because we have moved the parts of the Code review into the Student Government?

Senator Bushell: It just seemed that there were no other matters to go to student government.

The amendments to the Blue Book were unanimously approved.

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

Senator Lessoff: This is one of several policies that had been taken down from the website for review. They are crucial to employees of the university. The revised draft was intended to reflect both updated common practice and to make the procedures clearer. There was a question last time from Senator Horst about the second of these policies, which was to delete the Medical Behavioral Problems of Employees Policy, because the revisions to 3.1.37, the EAP Policy, made that other policy redundant as well as other procedures and policies of the university. The various university offices proposed what they hoped to be a friendly amendment. The idea is that the case is covered, but stating it clearly in this policy to ensure employees might be worthwhile. So I will read the proposed amendment. This would come under the second to last section. Senator Alt offered the amendment: “The University routinely makes employees aware of available EAP resources but would not require an employee to access EAP unless the employee demonstrated unsatisfactory job performance, inappropriate conduct, and/or excessive absenteeism.”

Motion XLV-154: By Senator Lessoff to approve the policy with the proposed amendment.

Senator Kalter: In the old policy, there was a line that said referrals and then it said that there were three different ways of going to the EAP. My understanding of the new sentence is that it covers those without explicitly saying them. It allows for an employee to go as a self-referral. It then also allows it if there is absenteeism, etc. when the supervisor will refer that employee.

Senator Lessoff: To clarify, under university policy, some disciplinary procedure has to be implemented. In other words, a supervisor can't simply say I think that you ought to go to the EAP. That would violate university policy because these things are meant to be confidential and anonymous. However, in certain circumstances, some disciplinary procedure may come to the conclusion that we wish as part of the resolution of this that you would try to take care of these issues and here is a mechanism for doing so.

Senator Alt: The university is restricted from referring somebody to these services by employment and other privacy policies, but there might become an occasion, usually offered by the employee, that they might use that as part of their agreement to correct their behavior. The university would never refer somebody to these services outside of something like that.

Senator Kalter: Does anybody have the old policy with the three types of referrals?

Senator Fazel: Three types of referrals can be made: 1) self-referral; 2) supervisory referral; or 3) personal concern referral made by any concerned person.

Senator Alt: Some of those are illegal now. We cannot have a supervisor referral. We cannot have a personal concern referral. An individual must participate in those services voluntarily.

The motion to approve the policy as amended was unanimously approved.

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

Motion XLV-155: By Senator Lessoff to delete the policy on the grounds that it is redundant. The motion was unanimously approved.

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

Senator Rich: I will add to my overview in the minutes from two weeks ago that this particular document is only part of the healthy and ongoing conversation about challenging resource allocation issues.

Motion XLV-156: By Senator Rich to approve the Institutional Priorities Report. The motion was unanimously approved.

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

Senator Horst: It was necessary to review this policy because of some legal issues. As we heard from the lawyer last time, we would be in compliance.

Motion XLV-157: By Senator Horst to approve the policy as revised. The motion was unanimously approved.

Information/Action Items:

The following policy must be communicated to the campus community by May 1, 2015, so it is designated as an Information/Action Item.

04.10.15.01 *Smoke and Tobacco Free Campus Policy (Senator Alt)*

04.10.15.02 *Current Smoking Policy (Reference Document)*

Senator Kalter: Sometime in the winter, the state legislature passed a no smoking on college campuses law, so we are getting the Smoke and Tobacco Free Campus Policy from Senator Alt rather than from a committee, although it did go through more than one committee. Senator Fazel sat on that committee because she also sat on the committee that created our own university smoking policy a couple of years ago.

Senator Alt: Thank you for expediting this item to be in compliance with that act by July 1. The proposed policy reflects the act, which is very narrow in its definition of permitted smoking. It basically restricts on university-owned or operated property, all smoking, except that that might take place in a person's personal vehicle in uncovered parking lots. The only other exception would be in a laboratory type setting for research purposes. Outside of that, there is no allowance for any type of smoking because this is a combination of the state smoke-free act, as well as this new act, which is the campus-free act, which is much more strict than the state's.

Senator Stewart: Sometimes in theatrical performances, there has been smoking. Is this going to be banned?

Senator Alt: It is not permitted in the law. There is not a theatre exception and that includes electronic cigarettes, actually any smoke-related or nicotine products. For example, it includes products that contain or deliver nicotine intended for human consumption.

Senator Kalter: So that would include chew?

Senator Alt: Yes.

Senator Horst: The first time we worked on the non-smoking policy, we had a debate about the idea of having disciplinary action. We had a motion to eliminate disciplinary action because we thought the tone of the policy was to promote non-smoking as opposed to punishing people. So why now is disciplinary action in there under Compliance?

Senator Alt: Let me introduce Alice McGuiness. She is the associate general counsel. She is filling in for Wendy Smith, who served on the committee. The new law requires a process to include some type of process and I will read the penalties and rules. "The governing board of each state-supported institution of higher education shall implement this act and shall promulgate all policies and regulations necessary for this purpose, including, but not limited to, disciplinary action, fines and appeals processes." We are obligated to provide that process.

Senator Kalter: I think that I heard that we have just been told by the state not just that our individual constituents have to follow the law, but that we are being directed by the state legislature to make a certain kind of policy, in other words, to create an action that we might otherwise choose not to. Is that correct?

Senator Alt: We are dictated to having a process that includes a disciplinary process, including fines.

Senator Horst: I am hearing that it is dictated by the legislature that we have to have disciplinary action, so we have to comply with the state law, so we have to have that phrase. I am not happy about that, but I don't

understand what it would be and how it would happen. What kind of disciplinary action would faculty and staff face if they had a smoking problem, given the fact that we just said it wouldn't be hindering their performance?

Senator Kalter: Perhaps Senator Horst and I can get together to recommend a committee to find the fine as 50 cents going to WGLT and the disciplinary action as a slap on the wrist. If you are going to get state disciplinary action for breaking the law, it seems like that is enough.

Senator Powers: Would the policy include any delivery of nicotine, such as nicotine patches and nicotine gum, which is intended to stop people from smoking?

Ms. McGinnis: No, it does not include those products because those are for cessation purposes, logically.

Senator Bushell: I would add my concern about theatrical productions and the ability for us not to be able to deal with an exception for those creative endeavors.

Senator Alt: In response to Senator Powers' question, that is under definitions—any product that has been approved or otherwise certified for legal sale for cessation. In terms of discipline and legal precautions, we have two laws. One of them is Smoke-Free Illinois and the other is Smoke-Free Campus. In the Smoke-Free Illinois, the fines are set by the state. In the Smoke-Free Campus, they are telling us that we can do that, so actually somebody could be getting two citations for the same crime. For example, if you are smoking on campus within 20 feet of an entry, then you are covered both by non-smoking on campus and the State of Illinois non-smoking law. For how much fine we are going to have and how much discipline, we tried to say that it would be in line with what we have said before, which was that the successful implementation of this policy will depend primarily on the cooperation of all faculty, staff, students and visitors.

The discussion we had was what if somebody keeps smoking, what should we be doing. The argument was that we should have some way of enforcing this policy. Otherwise, the state could hold us liable for not implementing the law. But how much that is going to be, you will see that and that is something that has changed outside the committee. "Fines or citations may be issued under the state law by the Illinois State University Police Department. Campus fines for violations of the Smoke-Free Campus Act are set through the university's annual process for review and revision of miscellaneous charges." So that is already in the policy.

Senator Winger: How does that work? I don't think the state can compel corporations to penalize their employees for smoking.

Ms. McGuiness: This is going into a state regulation of state-supported property.

Senator Winger: Because they own the property?

Ms. McGuiness: Right, that is why it is tied to that strange definition to the things that the university owns or operates as well as state-owned vehicles.

Senator Winger: So the fact that we have a charter is irrelevant?

Ms. McGuiness: It's not irrelevant. This is one of many state-mandated compliance requirements that we must meet.

Motion XLV-158: By Senator Gizzi to move the item to action.

Senator Eckrich: I would object. I would prefer that the pronoun antecedent agreement in the second to last paragraph be corrected. Instead of they, he or she, him or her.

Senator Kalter: I have an editorial amendment as well. Down at the bottom, it says initiating body, Office of Environmental Health and Academic Senate. I would like to suggest that we change that to Environmental Health and Safety as the correct title and actually eliminate Academic Senate given this discussion since we are not really initiating this and we don't really like being told to double penalize.

Senator McHale: My question has to do with definitions. Smoking means the carrying. I don't know if that is clear whether carrying it in a bag or in one's hand is clear enough here.

Ms. McGuinness: That is restating the statutory definition.

Senator Eckrich: If you read the rest of the sentence, it says any kind of lighted pipe. So you have to be carrying one that is lighted.

Senator Kalter: Does anyone have any objection to removing the Academic Senate as the initiating body? Ok, let's do that.

Senator Horst: Before we move to action, could I hear from someone else, such as the provost, about what kind of disciplinary actions they envision?

Provost Krejci: We discussed this mostly in the realm of the fines that were stipulated. I don't think we had come up with any kind of disciplinary action and we recommended that if there were any fines that they would go to the Wellness area for helping students with smoking cessation, but the committee would make those.

President Dietz: We are hoping that this policy will follow the policy that the students brought forward before when the Senate endorsed the smoke-free quad area. The emphasis was really on education and peer pressure. We are hopeful that we won't get into the fining business.

Senator Lin: Will this policy get rid of the designated areas where people can smoke? If it does, I can't see everybody following this policy. If we need to enforce it, I can see a snowball effect where people have cigarettes all over the quad because there are no more designated areas and they don't care about breaking the rules.

Senator Alt: Yes, it would eliminate designated spots because they are not permitted within the law.

Senator Brauer: If we could go back to what Senator Eckrich was speaking about as far using the his and her pronouns, I would like to enter in a more inclusive term of they so we don't observe that there are just two genders.

Senator Kalter: We could say 'that campus member may request that the individual stop and inform that person of the policy'. Would that wording satisfy?

Senator Brauer: Yes.

Senator Thurman: Talking about enforcing the policy, I can see this going one or two ways. The snowball effect is one, where they all follow it, which I doubt is going to happen the first year. Are you going to have a security guard or a police officer on the quad giving tickets? I don't think that this is going to really work out very well.

Senator Alt: It is my understanding that the police have the discretion to enforce as they do any violation of the law. So I am sure that there is the practice of education and warnings before it leads to that.

Senator McHale: I want to speak in favor of the policy. As an educational institution and despite those implementation issues, I appreciate the effort of the state and the institution to encourage the students not to smoke.

Senator Fazel: When we were reading policies at other universities, they had people walking their quads and checking for people who are smoking, but at our university, that has never been the plan. The police have the authority to give citations if they decide to as soon as we decide how much it is going to be. The Chief of Police was a member of the committee and we discussed that really the intention is to encourage people and peer pressure and the fact that this is really important for the health of the campus. The discussion was that maybe in the first year, we would not even give a citation until people get used to this idea. Under Compliance, at the end of the first paragraph, #2, ‘providing cessation resources’. We discussed this in committee and we decided that would be ‘cessation information’ because resources may mean classes and meetings and other things we do not have the resources to do. So a friendly amendment that that be changed to ‘information’.

Senator Brauer: Resources can include both and we are actually looking into some resources.

Senator McHale: I like the more restricted definition that Senator Fazel offered of information. Information seems like the thing that we could promise that we would provide.

Senator Kalter: We could put in both.

Senator Thurman: I think this is a great policy, but do we have the manpower to enforce it? Are we going to have someone on the quad to give these tickets out?

Senator Kalter: As with many of our unfunded mandates, the answer is maybe yes, maybe no. It is irrelevant because we still have to follow the law.

Senator Paterson: My understanding is that someone needs to report that there is a violation because the police are not everywhere all of the time. As we discussed previously, the intent would be to discuss with someone and make them aware of what the policy is and hopefully the person will cooperate. The other question was what if this is a repeat violator. We don’t have any plan to create a smoking database. The answer to are we going to add police to enforce this—no.

Senator Thornton: My only concern is that this policy doesn’t become an issue of penalization and monetizing our student population. I wanted to ensure that the intent is to have a more healthy campus, not just a campus that receives monetary funds from people who choose to smoke.

Senator Schneider: Are we going to have advertisements up around campus for students to understand?

Senator Brauer: Yes and that is something that the committee is very pleased about. We are actually going to have signage. We are discussing that now.

Senator Horst: Can someone come back to the Senate in two years about the fines that were issued and the disciplinary actions so we can have a fuller picture of how we are going to implement this law?

Motion XLV-159: By Senator Gizzi, seconded by Senator Hoelscher, to move the item to action. The motion was unanimously approved.

Senator Stewart: When would this policy go into effect?

Senator Alt: It is required to go into effect July 1.

Senator Hoelscher moved the question. There were no objections.

The motion to approve the Smoke-Free Campus Policy was approved by the Senate, with the exception of one nay and three abstentions.

Advisory Items:

04.10.15.03 *MW Schedule Survey Data Summary Report (Academic Affairs Committee)*

MW-MWF Faculty Survey Feedback

MW-MWF Faculty Survey Results Overview

MW-MWF Student Survey Feedback

MW-MWF Student Survey Results Overview

Senator Crowley: There was equivocal and not at all indicative information in the data compiled from the survey indicative of the necessity to make a change in policy at this time relative to the scheduling of Monday/Wednesday, Tuesday/Thursday, Monday/Wednesday/Friday classes. As you will see, the faculty and student data indicate that current practice is quite acceptable to our constituents and there is no immediate need to make adjustments to the policy as it stands.

Senator Horst: In the original survey that we designed, we had a question regarding how many students are experiencing difficulty registering because of the overlapping hours. Do you have data on that?

Senator Kalter: We do.

Senator Crowley: And it is an amazingly surprising finding that they are saying that there is no inconvenience relative to that—78%.

Senator Kalter: It was a very high percentage of people who said no. It is the very first question: “Have you had scheduling problems because of overlapping classes?” 70% said no.

Senator Crowley: 22% said yes with 8 abstaining.

Senator Horst: Originally, we were going to ask the opinion of the advisors because they are ones who have to deal with fixing student scheduling problems. The original concern came from the School of Music because we operate on the official Monday/Wednesday/Friday hourly schedule. Have you polled the advisors?

Senator Kalter: At the Executive Committee meeting last Monday, I made a request that we continue our analysis because the staff comments that we collected were not a part of the current analysis. We do want to prioritize instructors and students, but it is important for us to take into account not just advisors, but other people who are weighing in about how the M/W class schedule impacts other areas of campus. What I recommended for next year was that there be further analysis regarding the non-instructional employee response. We didn’t separate out advisors, but can go back to the survey and look at the non-instructional data.

Senator Schneider: I think this is a scheduling issue for classes and for final exams. I know when we look at the M/W, T/TH, which is what our department runs on, we have a horrible time trying to find classrooms. It is not just an opinion from faculty and staff and students about what they prefer, it’s also about what is best for the campus in terms of classroom utilization.

Senator Kalter: I agree with that. We put into the Institutional Priorities Report a request for a space planning exercise. It doesn’t make any sense to schedule in the same classroom a class that runs from 9 to 10:15 and then schedule a class that goes from 11 to 12. Is there a way that when we schedule a M/W course that always gets scheduled in a certain classroom and the M/W/F always gets scheduled in others? Also, is there a way to make sure we are utilizing the space on Fridays in reasonable ways? This is only the first step in collecting data, so that analysis is going to keep going.

Senator Crowley: I think we are thinking too simplistically that it is just no Friday classes. That is just not happening at ISU. We will be flexible when there is construction, etc. We will change if necessary. This is getting at is there a need for a change in policy and the answer is no, but let's be observant of needs as they arise.

04.13.15.01 Ombudsperson Council Report (Faculty Affairs Committee)

04.13.15.02 Academic Freedom, Ethics and Grievance Committee Report (Faculty Affairs Committee)

Senator Kalter: We have two more Advisory Items and I am going to do this as a slate. The Faculty Affairs Committee received the Ombudsperson Council Report and the Academic Freedom, Ethics and Grievance Committee Report.

Senator Horst: We accepted the reports as they were except for the Ombudsperson Council Report; we did ask them to start keeping track of their hours given that there is a course release involved with this position.

Senator Kalter: In concert with that is that is in the policy that they are supposed to report their hours, so it should be in the report.

Communications:

03.31.15.01 Funding for Higher Education Sense of the Senate Resolution (Senator Stewart)

Senator Stewart: Everyone should have access to education. We need to try to educate everyone in this country as much as possible. This is my second draft:

The Academic Senate of Illinois State University believes in "Educating Illinois," and we believe that in order to accomplish the goals in that document we need a strong system of higher education.

We believe that funding higher education is an investment that benefits all citizens of the state and that a strong republic and a strong economy are dependent on institutions of higher education that are accessible to all who desire and are capable of higher learning.

We believe that no citizen in Illinois who wishes to pursue a degree should be denied access to education because of their financial circumstances.

We further believe that state institutions of higher learning were instituted to serve that purpose and that in order to meet these goals they require a high degree of state support, which recent proposed cuts to funding will negate.

Motion XLV-160: By Senator Stewart to adopt the Sense of the Senate Resolution.

Senator Lessoff: I would like to suggest a couple of friendly amendments. In the first sentence, instead of "we need", "the state needs". In the last paragraph, I would strike "we further believe that" and I would start it at "State institutions of higher learning were instituted to serve that purpose." It is not a question of belief. "In order to meet that goal, these institutions require a high degree of state support".

Senator McHale: What percentage of the total budget came from the state last year?

President Dietz: 18%.

Senator McHale: With that in mind, that does not seem like a high degree of state support, "which recent proposed cuts to funding will negate." That assumes that there was a high degree of state support.

Senator Eckrich: "Will further negate"?

Senator Winger: I would second that. The state has already abandoned higher ed.

Senator Fazel: Who is going to receive this resolution and would know what the Educating Illinois document is?

Senator Kalter: The two places we're planning to send this to our president and then to the Council of Illinois University Senates so that senates throughout the state could contemplate similar language. Educating Illinois is our strategic document, but I think it might be important to put in front of that something that clarifies what Educating Illinois is.

Senator Fazel: Maybe "we believe in educating Illinois", not the document.

Senator Crowley: "educating citizens of Illinois".

Senator Kalter: Do you accept that as a friendly amendment?

Senator Stewart: Yes.

Senator Bushell: I think it is fine to reference our document, just clarify it. To be able to reference that, there is a lot more information there that might have a better argument. I would keep it as it is, but clarify it with "our strategic plan". I am curious about the last few statements. We are not really asking for anything. Make an argument that there should be more funding instead of less.

Senator Stewart: How about "which the movement to defund our public universities negates"?

Senator Rich: I suggest "continue to erode". That may capture the spirit.

Senator Kalter: I am a little uncomfortable editing on the floor and on the fly and trying to get this passed with so many amendments, particularly with one or two that are debatable, though I am not entirely sure about that. It is 9:30. I would suggest that we withdraw this from the floor and have it come back. Is there any objection to doing that?

Senator Crowley: Maybe we could get it done by just simplifying. Is it possible to just stop at "a high degree of support" in the last sentence?

Senator McHale: The first issue is are we retaining the amendments that we have talked about. When it comes back to the floor in two weeks, we can move on a new document with those changes. In response to Senator Crowley, I think that almost further weakens it. The idea is what has happened recently has really taken its toll.

Senator Kalter: That is why we should move this off the floor at this point because there is some disagreement and we are passed the point where we have offered simply friendly amendments.

Motion XLV-161: By Senator Winger, seconded by Senator McHale, to table the motion. The Senate unanimously approved the motion to table.

Senator Kalter: I just have a couple of chairperson's remarks that I deferred until the communications. I want to thank the graduating and non-returning student Senators, and all non-returning Senators. We had a busier year this year because of delays that prevented several things from getting to us last year, so I really, really have appreciated everybody's dedication, and particularly your patience.

I wanted to do a shout out to all of the advisors on campus who are doing double overtime while the registration period has been going on. They and the admissions staff and a number of other areas, especially in IT, have performed heroically this year. And also to all the students who have been facing these registration challenges. My understanding from Jess Ray is that they are slowly closing the gap in the prerequisite issue in terms of how

long it takes to process; but the report from the advisors has been that it's taking three to four times the amount of time registration usually takes.

I wanted to send my own congratulations to Jim Jawahar and Bruce Stoffel and the rest of the team that work on this week's Higher Learning Commission site visit and the rest of the accreditation process.

I wanted to give a nod to the fact that the College of Fine Arts Dean candidates visited last week and hopefully we will have a positive conclusion to that search.

Also, Senator Dietz indicated that tomorrow he'll be going up to do the airport interviews for the Vice President of University Advancement, which means we will very soon see on campus the finalists for that process. I very strongly encourage you and your constituents to go to those forums. Although we don't have the University Advancement Vice President on this Senate, this is going to be an increasingly important position as we try to move away from total dependence on either state funding or student tuition, and grow endowment.

I also wanted particularly to acknowledge four Senators who are leaving us tonight. Ed Stewart's last night is tonight; Farzaneh Fazel's; Martha Horst's; and Dan Holland's. Collectively I believe this is over 50 years of service on the Senate. [Nota bene: Senator Holland corrected that estimate down following the meeting; Senator Kalter corrected it back up, counting service during ASPT revisions as double duty!]

And just on a personal note on that: unbelievable dedication and I have enjoyed working with every single one of you. I feel like the old team is moving out and I am the last survivor.

I also wanted to acknowledge Senators Astroth, Eckrich, Croker, Brown, Replogle, and Thetard. Thank you for your service.

To the graduating students—Emily Montgomery, Mitchell Whittington, Ryan Fernandez, and Michelle Alvarez—what I want to say is: “Enjoy your life. Enjoy your life. You probably only have one. So enjoy it. You may have two or three or even nine lives, but it is likely that you will only have one, so enjoy it. And STAY INTERESTED. That was what my commencement speaker said to me, and it has served me very well. So with that, I am going to end my deferred chairperson's remarks. Does anyone have any questions? Senator Rich: The ISU Speech Team attended in the last two weeks national forensic tournaments in Portland, OR and Athens, OH. They are among the top five in the nation once again. It is an outstanding program. So congrats on another great year.

Adjournment

Motion XLV-162: By Senator Hoelscher, seconded by Senator Montgomery, to adjourn. The motion was unanimously approved.