**Faculty Caucus Meeting Minutes**

**Wednesday, December 9, 2020**

**Approved**

***Call to Order***

Academic Senate Chairperson Susan Kalter called the meeting to order.

***Executive Session: Distinguished Professor Selection***

The Faculty Caucus went into executive session to discuss the President’s recommendations for Distinguished Professor, per the exception to the Open Meetings Act established in Section 5 IL.CS 120/2, Section c, 1, which allows closed meetings to consider the “appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body.”

Motion by Senator Marx, seconded by Senator Blum, to move into executive session.

The Caucus concluded its business in executive session and returned to open session.

The Faculty Caucus members confirmed that each member had submitted their vote.

***Action item:***

***University Curriculum Committee election***

Diane Dean, EAF, (Spring replacement for Allison Kroesch)

***Council on General Education election***

Xing Wang, MAT, (replacing Rebekka Darner 2018-2021)

Motion by Senator Cline, seconded by Senator Mainieri, to elect Diane Dean and Xing Wang to the above committees. The motion was approved, with Kalter abstaining.

***Athletics Council election***

Michael Wille, ART (replacing Doug Hatch 2020-2023)

Motion by Senator Mainieri, seconded by Senator Cline, to hold the Athletics Council election. The voting members of the Faculty Caucus elected Michael Wille 20-8.

***Advisory Item:***

***Annual report, University Review Committee, 2019-2020***

***Redacted - Annual Report, Faculty Review Committee, 2019-2020***

Senator Kalter: Finally, we’re going to look at the annual reports for our two ASPT related external committee. The URC, their charge is chiefly to craft, draft, and interpret policy and approve college level ASPT policies. And then the FRC (Faculty Review Committee) their main charge is to serve as a third review committee for tenure and/or promotion cases. They also serve in certain other aspects. Does anybody have any comments first on the URC report? (Pause) All right. That was a 10 count. It looks like there are no questions on that one, or comments.

Does anyone have any comments on the FRC report?

Senator Horst: Yes, I noted on the FRC report that I believe the vote was, at the CFSC level, was 1-1 and 2 abstain. And I was wondering if the URC might consider whether or not CFSC members and FRC members should be able to vote to abstain?

Senator Kalter: So, okay. So, I investigated what I think is related to your question and I think it may answer your question. So, there are certain reasons why people recuse or have to recuse on certain cases. So, for example if you have a relationship to a particular family member whose case you are reviewing, right, or faculty member, I should say. But for example, it could be a family member. Some of the colleges have bylaws that require recusal even, you know, if the person is from the same department. You may remember that several years back we changed the policy that actually required recusal in all of the colleges, and so some of the colleges you can, you know, now sit in on cases that are from your own department. But it used to be that that was absolutely prohibited. And so, there are some colleges though that decided not to change their bylaws. And so, there are some colleges where you would have to recuse if you were from the same department as the person who is being reviewed. So, Senator Horst, I don’t think that there were cases here of abstentions. I think that what is going on is a recusal rather than an abstention there, so to speak.

Senator Horst: Right. Right. Because it seems like every situation where you would have to abstain you would be recusing yourself. So, it was just confusing the way it was reported. That makes more sense, and maybe they should correct that.

Senator Kalter: URC or FRC should correct that?

Senator Horst: The FRC report says that there are two abstentions, but they actually recused themselves, right?

Senator Kalter: Okay. In other words, we should ask them to update this… we’re basically the final step of this report, but we can ask them, you know, would you like to editorially change the word “abstain” to “recuse.”

Senator Horst: Yeah.

Senator Kalter: Right. We will get that… I believe, I don’t know if Sam is still on here, but I think that Cooper Cutting is the support for the FRC, if I remember correctly. Sam, do you want to say something? Dr. Catanzaro?

Dr. Catanzaro: We actually distinguish… A recusal is not a vote. An abstention is a vote. The committee member decides, ‘I can’t decide,’ and I believe that is what happened in this case.

Senator Kalter: Let’s just check that, because I believe….

Dr. Catanzaro: You can check that, because I’m doing this from memory. But…

Senator Kalter: Yeah. I did speak to the chair of the CFSC to get clarity about that, and I understand it a little bit differently.

Dr. Catanzaro: Okay.

Senator Kalter: I’m trying to talk very carefully so that we don’t identify either the college or the department.

Dr. Catanzaro: Yeah. Okay. But the general point is, if there’s a recusal, I encourage the chairs to record the vote as, “x in favor, y opposed, z abstaining, q recusing,” four different counts if you will. Almost always three of those are zeros, but.

Senator Horst: So, then I’m just going to go back to my original point, and I would like that the URC consider whether or not there should be an abstention vote in these situations.

Senator Kalter: The FRC or the URC?

Senator Horst: The URC.

Senator Kalter: The URC.

Dr. Catanzaro: So, you’re suggesting a policy change.

Senator Horst: Basically, should they be able to vote to abstain? If you’re on a CFSC or if you’re on a DFSC, should you be able to vote to abstain on this decision?

Senator Kalter: In other words, you’re looking for a policy change…

Senator Horst: Um-hum.

Senator Kalter: That would write into our University wide ASPT policies an explicit, yes you can abstain. I don’t believe anywhere in the University we don’t have the ability to abstain. So, that would be somewhat unusual to write in that you can’t. Is there somewhere in the ASPT policy that you’re thinking of that says you have to vote yes or no on cases?

Senator Horst: That’s what I’m asking the URC to consider. Should you be allowed to abstain? I just found it very unusual that two members voted to abstain. And if you get this many people that can’t make a decision… the function of the committee is to make a personnel decision, and it seemed to really confuse the case. So, I’m just wondering if they should be allowed to abstain, and it seems like it would be a URC discussion.

Senator Kalter: Dr. Catanzaro, did you want to comment on that?

Dr. Catanzaro: Certainly I think the URC can consider the merits of that policy change. I think the general principle that anyone… how would I put this… I think what Chairperson Kalter alluded to is that the general assumption is that anyone who is voting in any kind of a process like this has the option to vote yay, nay, or to abstain. And limiting those options would be done in rare… we would do that very carefully and very infrequently. But I am also very sympathetic to the point Senator Horst is making that if someone, the way I would put it, is if someone decides to leave their name on the ballot for a CFSC or a DFSC, they should know what they are sort of signing up for. That said, you know, I can imagine the scenario where someone honestly, genuinely feels like the most valid vote they could cast is an abstention. So. But the URC could consider that, I mean, we are picking up on the ASPT revisions, as the report suggested we would be. So, we can add that to the hopper and the committee will discuss it.

Senator Blum: I just want to say I think it’s a worthy discussion to have, all right. I’m not sure that I agree that you shouldn’t be able to abstain. But I would like to encourage that the discussion be had, and just sort of see where the group comes down with it. I think it’s an interesting thought. And it may be very well that it makes sense to have abstentions, or it may not. But I think that it’s an interesting point.

Senator Kalter: Any other comments on this subject or the report itself? (Pause) All right. I will just record for the record that I strongly object to taking away anybody’s right to abstain in this issue, or in any other issue. And this is a very, very rare FRC report, where we’ve ever seen an abstention of any kind. So, I don’t think this is an issue where there are people who got voted on to a committee who then weren’t making a decision. I’m also pretty sure that this was a recusal rather than an abstention, or two recusals or what have you. But I think… I almost feel like it’s an academic freedom issue to be able to abstain in certain instances, and I think that people don’t get voted on to committees if they abstain over and over again. But I think that, Dr. Catanzaro, I don’t know why Dr. Shelden was here to listen to the report, but I think she may be a URC member, but they can bring—No, okay—they can bring it back to the committee to add to the hopper, as Dr. Catanzaro said.

That’s it for the night if nobody has any further questions.

***Adjournment  
Motion by Senator Cline, seconded by Senator Pancrazio, to adjourn. The motion was unanimously approved.***