**Faculty Caucus Minutes**

Wednesday, May 10, 2017

Approved

***Call to Order***

Senator Kalter called the meeting to order.

***Oral Communication: AIF Ad Hoc Committee***

This is not on the agenda, but I wanted to make an oral communication. So some of you were here with the last Caucus but some of you are new. We created an ad hoc committee to study some issues relating to the Academic Impact Fund and the Provost actually wanted us to move quickly to meet at the end of this semester to give her some recommendations on what’s call the Strategic Budget Carryover. That’s something that did not exist when the Academic Impact Fund was first put into place twenty years ago.

So the committee met twice last week and came up with recommendations, essentially saying, that we believe that while the Strategic Budget Carryover money should start to be spent down, because it’s accumulating too much, we want to keep enough in the SBC in order to hedge against any threat to our status non-tenure track faculty and anybody who’s sort of a status equivalent in Milner or Mennonite. So we’re going to keep at least four million dollars, we are going to recommend that the Provost keep at least four million dollars in that account, especially during this Illinois budget crisis. After that it could probably be revisited. But we are particularly concerned about what’s going on in the legislature and with the governor.

The second recommendation, other than the four million, is that we are recommending that anything above the four million can be used, and by the way the projection there is that by, I think it was by the beginning of the fiscal year, this coming fiscal year, we will probably have $7.6 million in the SBC, which is an awful lot. So sort of keeping in the spirit of the original agreement about the AIF twenty years ago, we are recommending that this money be used for one-time instructionally related and/or tenure-track faculty recruitment and retention purposes. So things like start up packages, funding assistance for visiting professors, procuring various types of equipment that might be used in classroom or laboratory settings, renovating facilities in ways that are making new classrooms like a flipped classroom or something like that, procuring specialized computer software and supporting development of promising interdisciplinary programs. So that’s a list of things it could be used for. That’s not necessarily the comprehensive list. But what Alan Lacy has said is that, as he gets things that vary from this list unless they are clearly in the instructional category, he’s going to run them back by the ad hoc committee just to make sure that we all agree that, in fact yes, this is in the spirit of what we agreed to.

And then the final thing is that we had said that the Provost Office issue an announcement to all the departments and colleges to extend the time that their Provost Enhancement Requests can be made, because those would have been made back in March. So we thought giving somewhere between $1.5 and 3.6 million for next year we’re going to want people to be thinking further than they might have when they are doing their planning for this year. So that’s going to go out, hopefully, by tomorrow morning officially to your deans and department chairs, but of course a lot of them already know about this. So they’ve been kind of talking about it.

So I just wanted to make that announcement even though it wasn’t on the agenda, and I will send that around probably after the meeting tonight so that you can see the full set of recommendations. Are there any questions about those at all? If not, thank you so much to the committee members who took time out of their Success Week to meet twice. So thanks for that.

***Request for exception to ASPT Committee Restriction Policy***

The second thing that I wanted to move to, you see this on the agenda, is a request for an exception to ASPT committee restriction policy. What this is in our ASPT policy we say that a person can only sit on one of the kinds of ASPT committees at a time: DFSC, CFSC, URC, FRC. We have as I announced in the chairperson’s comment just a couple minutes ago, next year, we thought this was going to happen this year but the URC has been working all year long on the disciplinary articles that we got two years ago as we were doing the regular five-year review of our ASPT policies. And obviously the disciplinary articles are very much brand new. They’re essentially, you know, sanctions, suspension, and dismissal. And so, we’re actually happy that they are taking a while to get through the process because we’re, you know, making sure that we’ve really thought through all kinds of scenarios related to what would happen if you needed to suspend a faculty member. What would happen if you had some sort of behavior that you want to give a sanction on and it falls short of, you know dismissal but it’s a problematic behavior that needs to be addressed.

So those are probably going to be coming to us next year. There is an individual who a lot of you may know, Chris Horvath, in the Philosophy Department who has been working on those, I think, for the past, at least the past year if not two or three years. And so what’s happening though is because his department is essentially eight people, and he is one of I think, it’s going to become about three or four tenured people. They have certain restrictions on who can be on their DFSC. And so he’s kind of an I’ve got to be on my DFSC type of member for next year because of a retirement they are having, and etc. And was wondering, you know, he was like I really, really want to see this process through, in terms of the URC finishing up its recommendation for the disciplinary articles. Is there any way that there can be a waiver or an exception to the ASPT rule, that you’re not supposed to sit on two committees at the same time? So I open that up for debate. There are obviously pros and cons. I tend to lean, myself towards recommending it, but I can also see some pretty serious, you know, potential problems. So what do you all think about that request?

Senator Pancrazio: We’re thinking of just a one year exception?

Senator Kalter: Yes, in fact, I might even say as soon as the disciplinary articles are done that it would be, he would step off URC at that point, even if it were mid-year.

Senator Pancrazio: Thank you.

Senator Blum: So it’s only, it’s a specific waiver for a specific person in these specific circumstances, am I understanding that correctly?

Senator Kalter: Yes, that is correct. It would not be a waiver of the policy in a general way. I would not consider it to be setting a precedent. We rarely add articles to our ASPT booklet. Usually it’s a revision of existing articles. So this is a pretty unusual set of circumstances, what he’s been working on for the past couple of years.

Senator Horst: The only thing I could conceive of is, if there was a scenario where he as a DFSC member would have to apply the articles. We’ve been talking about how the articles in principle are shaping decisions now. So then I would ask that if for some reason he had to do that he would recuse himself from the DFSC.

Senator Kalter: That’s a very good point. I was thinking on the URC end, there are enough people who know what he’s been saying for the past couple of years that they would be a check to, you know, if suddenly there’s a kind of conflict of interest there. But you are right that there’s another way that it goes towards being on the DFSC and that could create a conflict.

Senator Horst: He has some suspension case, or some suspension-like case, and he’s on the committee that’s shaping that language.

Senator Pancrazio: Senator Horst

Senator Kalter: So that if there’s anything in his DFSC during the year that relates to sanction, suspension or dismissal he should recuse himself.

Senator Pancrazio: I was going to ask Senator Horst to speak into the microphone.

Senator Kalter: You know that’s her role.

(Laughter)

Senator Horst: I would ask him to recuse himself if there is a suspension case in his DFSC.

Senator Pancrazio: I think that is a very wise choice, thank you.

Senator Kalter: Any other thoughts?

Senator Pancrazio: At this point, if we’re looking at a very specific situation I would move that we would grant the exception, given the proviso that if there were a conflict of interest, in terms of department that he would recuse himself.

Senator Kalter: Any other thoughts?

Senator Cox: Do I understand then that he wishes to, because he’s been active in this policy review and revision that he wants to see it through and that’s the only reason? Is that right?

Senator Kalter: That’s correct. Think about it as though you are on the AFEGC revision committee and you want to see it through, those revisions that we were doing back two years ago. Yeah, that’s essentially what he’s saying is not I want to serve on URC again period but I’ve made it this far. We’re this close. Can I finish out my work on that?

Senator Cox: I wonder though, I know he, no doubt, has made many key contributions but if he does not serve on the URC will there be a vacuum? Could it be wrapped up without his input in order to avoid this conflict?

Senator Kalter: I think it could potentially. I mean, he would be sitting in the Humanities seat. You know, so obviously somebody would step in there. And I’m trying to remember, there are some people who will be continuing on that committee who have been involved in the work but obviously there will be other people who will be stepping on. We don’t have, I don’t think we have yet exactly who’s stepping on. In other words, we don’t have that list yet from Bruce Stoffel. But I think we’ve got two or three people who are stepping on and that’s a nine person committee. So…

Senator Cox: Has there been an exception like this made before?

Senator Kalter: Great question, and to my knowledge, not in the last decade.

Senator Cox: Okay.

Senator Kalter: I can say that.

Senator Cox: I’ve been here seven or eight years and I haven’t heard of it.

Senator Kalter: Although my memory is faulty, so I don’t, you know, there may have been something while I’ve been on the Senate but I don’t recall anything where we’ve had this before.

Senator Cox: I wonder if it might not open the door to other exceptions. This one doesn’t sound as though it’s of a dire nature. It’s simply, and I can understand that, a personal desire to finish out a project that one has started but not one that, where that cannot be done without that person. So I understand he must be on DFSC but I don’t see how he must be on URC.

Senator Kalter: I would think, I would say it may be is a little bit beyond a personal desire, in that my guess, although I haven’t talk to them, is that some of the committee might also feel like it will be harder to finish it out without his presence, but not impossible.

Senator Cox: Right, with nine members, yes.

Senator Kalter: Right.

Senator Horst: Isn’t he Chair of the URC? Or he has been Chair?

Senator Kalter: Oh, that’s right. He’s Vice Chair. He is currently the Vice Chair of the URC, so that’s also one of the things he was considering. He says “I’m currently serving as Vice Chair of the URC and have one more year to go in my appointment to the URC.”

Senator Horst: (inaudible) faculty review?

Senator Kalter: Right.

Senator Cox: Do I see him, is this him on the ballot for the Ombudsman?

Senator Kalter: I’m trying to remember. Yes, that’s correct.

Senator Cox: He’s very busy and service minded individual.

Senator Kalter: He is a very busy and service minded individual. Now one thing that’s going to happen, although we shouldn’t start talking yet about Ombudsperson ballot. This is a ballot for future years. There is, unless there were someone stepping off the Ombudsperson Council, there is no way he would be seated next year because the person who is stepping off is the non-faculty member this year. So the reason we’re going to be doing an Ombudsperson ballot is simply not to have one that is four times as long next year. Right? So that we get these people endorsed or not endorsed, but that doesn’t necessarily mean any of them will be seated next year. But they’ll be in the pool to be seated the year afterwards. I think Senator Pancrazio that you made a motion.

Senator Pancrazio: I did.

Senator Kalter: I’m going to go back to that and ask…

Senator Pancrazio: It fell on deaf ears.

Senator Kalter: Ask if anyone wants to second that motion?

Motion: By Senator Pancrazio, seconded by Senator Lonbom to grant the exception to the ASPT committee restriction policy, given the proviso that if there were a conflict of interest, in terms of department, that he would recuse himself.

Senator Kalter: And we can continue debating, I just wanted to make sure we actually went back and did the process there.

Senator Pancrazio: Thank you.

Senator Kalter: Is there further debate? For or against this?

Senator Ohler: I have one question regarding that he has two options, either to serve on the URC or the department committee. Why would, is it only that we have to offer an exception or is it possible that his DFSC could offer an exception?

Senator Kalter: So in, I’ll say in some ways he doesn’t have a choice whether to sit on his DFSC or not because if he does not they will not have a viable DFSC. So then the question becomes can he continue on URC? And essentially when he asked me I said, well the Senate Chair alone cannot say yes or no to that. Like, I cannot give you a waiver. The group that makes the policy would have to give a waiver. So that’s why, so even though, if it were the other way around and he had, for some reason, had to sit on URC but had a choice of sitting on DFSC, we would still have to make that choice. So it wouldn’t ever be the Philosophy Department being able to make that choice. Is that kind of what you’re getting at? Yeah, it would always be the Caucus that would make that choice. And obviously the President would also have to agree with us. But essentially it would be our body making that choice.

Senator Ferrence: Just my thought on the matter without looking at all the formal documents. It strikes me that, I mean, in this case I can see were they’re close to completing a task and having somebody who is a leader on that task no longer present in a confidential body could definitely slow things down quite a bit. I guess I would probably disagree. I wouldn’t think that anybody could force me to serve on a DFSC, so the point being that his DFSC would become defunct in his department, essentially, if he were not to agree serve. But if he felt strongly about this without the exception he could choose to serve on the URC and it would simply suspend the ability of his department to do any decisions because… And so it, to me it just strikes me as, there is a case where he’s trying to do the right thing and get an exception instead of saying, well, tough luck department, you guys are just going to have to put your promotion and tenure on hold for a year until we have enough people available to serve. So I don’t think it’s a power grab kind of thing. I think it’s more of a, we’re so close to getting this document done and the last thing we want to do is have one of the key players step aside and, in the process as it often does when you have a change of leadership, delays a year or two years.

Senator Kalter: I would say…

Senator Ferrence: I would be in favor of supporting the exception.

Senator Kalter: Thank you. I will add a piece of information. There is I believe an individual going up for tenure in that department this coming year. So my guess is that that is part of the consideration that’s being made.

Senator Ferrence: That would be a serious problem.

Senator Cox: I was going to ask what you meant by viable? Do I understand then there will not be other faculty members qualified to serve on the DFSC in his absence?

Senator Kalter: Yes, their particular, as I understand it, their particular guidelines, and this obviously varies from department to department, does not allow non-tenured people to serve. And currently the Philosophy Department has a larger number of un-tenured than tenured faculty because of the retirement, etc.

Senator Cox: And they do not have enough tenured faculty to serve?

Senator Kalter: Right. Exactly. Yeah.

Senator Cox: Okay.

Senator Blum: Can we just, can you just kind of summarize the potential conflicts that might occur so if we do grant this waiver that we could make it really clear what those might be, and these are the kinds of situations that we would expect a recusal in. Because the motion on the floor is kind of, that’s part of the contingency. I’m supportive of this but I also feel like it needs to be really clear that these are the situations that, this is what we are talking about.

Senator Kalter: Yeah. So, Senator Pancrazio do you want to repeat the exact motion that you made?

Senator Pancrazio: To the best of my ability. I think I said that we would allow the exception for one year and that should there arise a potential conflict of interest with people who are in the Philosophy Department that he would recuse himself.

Senator Kalter: And then adding, I think, Senator Horst’s friendly amendment to that last part, right? That specifically if there is a sanction, suspension, or dismissal case within his own department, he would recuse himself from the DFSC part of that. So that kind of falls under your second choice, you know, your second part, but it’s a more specific…

Senator Pancrazio: Okay. Oh, you’re also including the DFSC in that as well. One other instance, does Professor Horvath have a double appointment? I believe he was a double appointment in Philosophy and Biology? And if so, I think. Two DFSC, good lord. Then we’d probably want to include that to cover both of his appointments.

Senator Kalter: Okay. So that he, in other words, he, I mean first of all, that, I think, would fall under the rule of not serving on two committees already, right? In other words you can’t serve on two DFSCs and I think there is something in the ASPT document…

Senator Pancrazio: Yeah, I don’t know how that works with his particular appointment but I believe he had an additional appointment in Biology.

Senator Kalter: Yeah. So that he could not be involved in any Biology cases either.

Senator Pancrazio: Correct. Yeah. I think that’s the most judicious choice.

Senator Kalter: Okay. Alright.

Senator Dyck: So I’m wondering how long does the URC think that this work will take? Will it take the next entire academic year? Or will it be shorter than that?

Senator Kalter: Good lord, I hope not. (Laughter) I’m salivating to get the thing back over here so we can get it done, right? So that we don’t have to be doing it in the next five year cycle. So we’re hoping early-ish fall to get it back. So we’re hoping that it will be by let’s say October or so.

Senator Dyck: And so the overlap really wouldn’t be very long?

Senator Kalter: Right, yeah. Yeah, because I think the other thing that we could add is that when the work is done that he should step off, right? We sort of mentioned that before that it would be up to a year but that we’re thinking it’s only going to be for a couple months into the fall.

Senator Dyck: So it might be done before November 1.

Senator Pancrazio: Before the DFSC has convened.

Senator Kalter: Before November 1, yes exactly.

Senator Hoelscher: I didn’t see anybody behind me, my apologies. I was going to say, would it be appropriate to, in a very friendly way, call the question?

Senator Kalter: After Senator Horst says what she wanted to say, yes. And speaks into the microphone.

Senator Horst: Sorry. First off, well, I would recommend that he wait until we pass the document because we might send some issues back to URC. So I think it could go on for the entire year.

Senator Kalter: That’s a good point.

Senator Horst: But I’d like to speak in favor of the motion. Chris Horvath is an important part of that committee. The articles are massive and have taken several years to work on. He also has a unique knowledge because he was the chair of the FRC and he is part of that leadership team of the URC. So I would like to speak in favor of the motion to allow him this exception.

Senator Kalter: Thank you. Further debate?

The motion, as amended, was unanimously approved.

Senator Kalter: Alright. I will let him know that we’ve made a very, very, very specific waiver. And that, we’ll let the record show that it will not serve as a precedent for future waivers in the future.

***Council for Teacher Education – Election by Slate***

The Faculty Caucus confirmed the following faculty members, nominated by their dean, to serve on the Council for Teacher Education for three-year terms:

Tamra Davis, COB, 2017-2020

Sally Arnett Hartwick, CAST, 2017-2020

Sarah French, MIL, 2017-2020

Sandra Osorio, COE: TCH, 2017-2020

Corrine Zimmerman, CAS, 2017-2020

Phillip Hash, CFA, 2017-2018 (Retirement replacement for Dr. Ed Stewart who is retiring this month) (Dr. Hash officially joins the School of Music in Summer/August.)

***Academic Planning Committee Member Confirmations***

The Faculty Caucus confirmed the following faculty members, nominated by their respective deans, to serve on the Academic Planning Committee for two-year terms:  
  
Thomas Crumpler, TCH, 2017-2019

Mary Henninger, KNR, 2017-2019

Cynthia Kerber, MCN, 2017-2019

Claire Lieberman, ART, 2017-2019

***University Appeals Board Election***

The Faculty Caucus confirmed the following faculty member, nominated by her dean, to serve on the University Appeals Board for a one-year term:

Deborah Seifert, COB 2017-2018(Replacement for Cindy Ropp)

***Executive Session:***

***Ombudsperson Endorsement***

Motion: By Senator Marx, seconded by Senator Haugo, to move into executive session.

The motion passed unanimously.

Nominees for Ombudsperson Council endorsed and not endorsed by a majority of members of the Faculty Caucus will be forwarded confidentially to the Provost’s Office.

The Caucus moved back into regular session in order to adjourn.

***Adjournment***

Motion: By Senator Dyck, seconded by Senator Horst, to adjourn. The motion was unanimously approved.