**Academic Senate Executive Committee Minutes**

**MONDAY, October 11, 2021**

**Approved**

***Call to Order***Academic Senate chairperson Martha Callison Horst called the meeting to order.

***Oral Communication***Senator Horst: I have some Oral Communications. I met with Legal, and I have a lot of things that I want to share with you that they said. We discussed the Open Meetings Act and the distribution of documents. They said that senators can distribute documents. These documents maintain the status of draft up until they are signed by the President. Committee chairs, internal and external, are free to distribute material or not distribute material. The Senate does not have to post any material. We only have to post the agenda. The same holds for all of our external committees. They are preparing documents for the OMA compliance for the Senate and the external committees of the Senate to help us with all of these issues that are coming up, particular with this transitional period.

We had some discussion about the structure, because again, everything that applies to the Senate is applying to all the external committees. At one point they were trying to advise us to start nixing some of the committees, but I’ve been looking at a lot of historical documents and a lot of these committee structures have been the same for many, many years. So, they seem to be happy with us just instructing the external committees as to how to function under Open Meetings Act, and not necessarily cutting the curriculum committee from the Academic Senate.

They noted that in our Bylaws, Article V Section 1A it says all other documents may be shared except for the ones that we convey are in executive session. Regarding the Open Meetings Act, they also noted that the Board follows the part of the Open Meetings Act where the body discusses items that were in executive session and then the body discusses releasing those minutes into the public, and that’s something that the Senate has never done, ever. We do note in the minutes something like, “The Faculty Caucus went into executive session; we discussed the candidates for the Distinguished Professor.” We put vague language in those minutes. So, they are going to do some research as to how we can comply with that, if what we’re doing right now is enough. I talked with Cera and with Dimitrios that we might want to maintain some executive session minutes that we could at some point release, as opposed to 10 years later and listening to all the tapes. So, they’re going to get us more information on that.

They say we do need to have an opportunity at all committee meetings to have public comment. But they are not sure what is the minimum, because I said, well, if you have a 15-minute meeting would five minutes suffice because that’s like 10%. They have to look at all the case law. It’s not just the Open Meetings Act but there’s all these statements and clarifications that come out. So, they’re going to see if, for instance, five minutes for a 50-minute meeting will be acceptable.

We discussed the list that Jeffrey Lange and Legal forwarded to us about potentially pulling those off of the Senate list, and they said it is national standard practice that an administrative office in charge of policies, such as the Access and Accommodation policy, would be controlling that language. So, we can get to that. Lisa says, “This is super technical language.”

So that’s the main points of my Legal meeting. Are there any questions about any of that?

Senator Nikolaou: So, for the public comment, do we need to add it to our agenda from now on?

Senator Horst: We need to have it in our Bylaws.

Senator Nikolaou: Okay. So, we don’t need to make any changes right now?

Senator Horst: No. But we need to expedite the change in the Bylaws. But we have to figure out what we have to do first. So, as soon as I know all the internal committees must have public comment, it should be five minutes unless the meeting goes over a certain amount of time and then it should be 10 minutes or whatever it is. But I’m hoping for our internal committee meetings, we can get away with five minutes.

Senator Garrahy: So, Martha, when the Senate Bylaws change to include the public comment, do all of the internal and external committees have to rework their bylaws to add that too?

Senator Horst: The internal committee bylaws and all the external committee bylaws are in our Bylaws.

Senator Garrahy: So, that would take care of it. It’s a blanket.

Senator Horst: Yeah. The CTE has fully fleshed out Bylaws but—Article III, is it, Todd—that is basically the Bylaws for all of the committees.

Senator Garrahy: Okay.

Senator Horst: The way I understand it, and I’m not a lawyer, but everything that applies to the Senate applies to the entire tree of the Senate. There was this case actually involving our Athletics Council a couple of years ago where it was not an open meeting, and it actually went to court and they said anything that is a part of the structure of a public body has to operate under the Open Meetings Act.

Senator Cline: So, that means the internal committees but not the standing external committees?

Senator Horst: And the external committees.

Senator Cline: Everybody. Okay

Senator Horst: The whole tree. Yes.

Senator Stewart: I know that at Senate meetings there needs to be some kind of advance notice, is that also going to be true at committees? Like they have to contact their committee chair within 24 hours or something?

Senator Horst: Or sign up with the secretary or something. They can’t just show up in the middle and say they didn’t get their opportunity to do public comment.

Senator Stewart: So, that’s also language needed.

Senator Horst: Right. We’ll have to iron it all out. It will be very technical, and Teri Hammer will have to help us. I’m happy to work with her on it because like I said there’s a lot of case law and statements about the Open Meetings Act even time the Town Council does something incorrect there’s some sort of clarification. So, I think it’s something Legal really has to guide us on.

All right. Any other questions about that communication from Legal? (Pause) Okay.

Then I received an email from Aslihan Spaulding introducing herself. She’s our new Foundation Board rep. She is appointed to the Foundation Board by the Senate. So, she is asking “if there is anything you want me to do on behalf of the Senate. Is there any information I need to relay to them? I will send you an update if anything comes up.” I said I would pass that by the Executive Committee because it came last week on Thursday. Is there any sort of updates you would like about the Foundation Board? Any questions? (pause) Okay. So, we have this contact. I did say to her if there is a conversation regarding Fossil Free Initiatives, I would like to know about it.

***Distributed Communications:***

***09.30.21.03 From Martha Horst: Class Scheduling Guidelines \_ Registrar - Illinois State (Presentation by Provost Tarhule 10/20/21)***

Senator Horst: I met with some representatives from the College of Business. They were concerned about the perceived change in the block scheduling and they also said its going to lead to Monday, Wednesday, Friday classes. I clarified with the Provost that there is not a Monday, Wednesday, Friday mandate. There was this idea kicking around, and at one point in the spring it went through Exec; it had to do with classrooms if the six-foot distancing was required, but that was dropped. So, this has nothing to do with a mandate on Monday, Wednesday, Friday. But their point is that effectively this block scheduling is going to lead to Monday, Wednesday, Friday scheduling. The Provost clarified with Amy Hurd that there was no change in this material that you have here; rather, they are just going to start enforcing it. And all of the College of Business senators, as opposed to asking a question on the floor to the Provost, requested a presentation from him, so he can lay out his thinking, his rationale for why he wants to go back to this standing policy on block scheduling. And he is happy to do so.

Dr. Trites: Am I allowed to make a slight correction?

Senator Horst: Of course.

Dr. Trites: It’s not a policy, it’s guidelines.

Senator Horst: Yes.

Dr. Trites: It’s just important—as the policy guru—I felt compelled to tell you.

Senator Horst: Absolutely, the class scheduling guidelines. But he is happy to present his rationale for going back to these standing guidelines. All right. So, that’s a conversation I had with some members of the College of Business, and then all of the College of Business senators and the Provost, and that has led to one of our items on the agenda.

Senator Otto: Martha, does that include a rationale for why faculty were not consulted before these changes were made?

Senator Horst: I don’t know what the Provost is going to present but that is certainly a question you can ask him. But we thought it important, as opposed to just doing this through Provost’s Remarks, that he could have an opportunity to give a formal presentation, and everyone can have all of the material ahead of time. As opposed to someone asking a question on the floor. So, everyone will have this document and understand what we’re talking about.

Senator Otto: There were other faculty and departments that were concerned about this. So, I think it’s really important that we get this to senators and say, please send this to your constituents because this is going to come up at such a date, you know, please feel free to attend. I think it’s important to involve a wide array here.

Senator Horst: We distribute everything on Friday before the meeting on Wednesday, and that’s how we do it so that we can comply with everything. And Cera has a lot of material that she has to turn over to make that happen. But, Cera, do you do some sort of cover when you send the email?

Ms. Hazelrigg: Are we sending… does the Provost have a special presentation that he’s doing?

Senator Horst: Yeah. He’s planning on doing some sort of presentation, a PowerPoint, I’m not sure what he’s planning on doing. But we can certainly say, “Chairs, please note there will be a discussion by the Provost on Block Scheduling”.

Senator Otto: I think that would be very helpful. I appreciate that.

Senator Horst: Okay. And I do believe this conversation is happening in other contexts.

Senator Nikolaou: Do we know when the standard time blocks came to be? Because right now, it has the instruction modality, it makes it appear that they were just created in 2021. So, it might be that we want to make it clear, if this were existing and they were not adjusted this year, we might want to make it clear that these are the standard blocks since…

Senator Horst: Yeah. I brought this up in 2012. So, there has been conflicts with the standard scheduling guideline back then. The part that was changed was the modality, and I think that’s why he went to Amy Hurd. I don’t know. But I do know that he verified it with Amy Hurd. So, we can try to find out the history. Or I can just request that they dig into the history. But I know that I brought this up in 2012 and, I believe, this was the standard formula in 2012.

Senator Nikolaou: Yeah. But this is going to make a difference if these were existing, and we are just trying to follow them now.

Senator Horst: That’s what he says. Yeah.

 Senator Nikolaou: Compared to if we came up with these this year.

Senator Horst: No.

Senator Nikolaou: Yeah. Since it’s 2021, that’s the impression that it might give.

Senator Horst: That’s because of the modality piece. And I can ask Amy Hurd if they can dig that up. But like I said, my impression is that it’s been in place for many years, it’s just there has been a cultural shift.

Senator Nikolaou: Yeah. And even if it was 2012 as you say, if we said they have been like this for at least a decade, I think that’s enough. Because if you give the context that they were existing.

Senator Horst: We can try. But this is just a webpage. I’ll ask Amy Hurd if she can dig that up.

Senator Cline: Out of sheer ignorance, what is the issue? The actual block time or the percentages allowable? Because we meet all of these normally, this is our normal standard procedure in the School of Art. So, I’m confused about what the issue is.

Senator Horst: I believe some colleges are not necessarily following this.

Senator Cline: Because of the times of meetings or these percentage of no more than 8% of courses at the same time, etc? You don’t know.

Senator Horst: I’m not going to dig into the weeds. The College of Business, I think in particular, is not necessarily following these blocks, and so they’re not maintaining hourly breaks, I believe.

Senator Cline: Okay.

Senator Stewart: Many departments in the College of Arts and Sciences have not been quite obeying this block schedule.

Senator Cline: Just making up their own times? Right.

Senator Stewart: Right.

Dr. Trites: Rather they’re using the Tuesday/Thursday schedule on Monday/Wednesday.

Senator Cline: Oh. I see.

Dr. Trites: So, students can do internships on Fridays. And students who are in professional development schools can be there on Fridays.

Senator Cline: For once, the artists have been sticking to the rules.

(Laughter)

Senator Horst: The School of Music has been following this. At one point in 2012 we were having troubls getting our students into classes because we were meeting on off times. So that’s when it all started.

Senator Cline: Understood.

Senator Horst: But I’m, again, going to shift the conversation to the Provost who is going to dig into this topic and present his case, and he’s going to be fielding the questions, not I.

Senator Cline: I’m sorry. I just wasn’t here for the first part of that conversation, so I didn’t know what that issue was. I appreciate that clarification.

Senator Horst: Yeah. No worries.

***Faculty Affairs Committee: (Information Item 10/20/21)***

***10.07.21.06 Policy 1.8 Integrity policy - Current Copy***

***10.07.21.07 Policy 1.8 Integrity policy - Mark Up***

***10.07.21.08 Policy 1.8 Integrity policy - Clean Copy***

Senator Nikolaou: We finished the second part of the policy; so, everything in the procedures. And then we went to what we reviewed in the spring (Items I-III) just to make sure that the sections are in accordance with one another. So, that’s pretty much it. As you can see, there are several changes.

Senator Otto: Last year, I brough up a couple of times under notifications that the IRB in cases of empirical work really should be notified if there is… because an IRB should be suspended if there is a violation of scholarly integrity that falls under these designations. So, it would be problematic because it would enable people still to present this data at conferences because they would still have IRB approval, or to resubmit to other journals. I just want to put that out there because I think that leaves us open, and I think this is particularly important in light of doctoral students work.

Senator Horst: So, that’s a great question for an information item. I think that’s a great point.

Senator Nikolaou: And we would want to have Kathy Spence.

Senator Horst: Yes, but I don’t think that is something that would prohibit it from going to the floor at this point.

Senator Otto: I don’t either. I just want to point it out for Dimitrios because that statement was in the document last year, I just don’t know if it got explained away for dropped out or whatever.

Senator Nikolaou: Okay.

Senator Stewart: Just briefly. I don’t think this is a reason for it not to go to the floor, but I wondered, there are several places where it talks about the notification of the respondent. Right. That once the Inquiry Team has been appointed the RIO shall notify the respondent, but it never specifies any timeframe. That language appears in three different places, but it never says will notify within 5 business days. I’ll just call that to your attention. Again, I think it’s fine to go to the floor.

Senator Horst: And one of my questions, I have several questions, but one of them is what is the timeframe of the entire thing? Because it seems there’s 10 business days here, and 15 business days. There’s a lot of accumulated business days. I’m just sort of curious as to the timeline for the entire process. But we can all ask that on the floor.

***From Rules Committee: (Information Item 10/20/21)***

***01.21.21.11 COUNCIL ON GENERAL EDUCATION-current***

***10.07.21.12 COUNCIL ON GENERAL EDUCATION charge Mark Up***

***10.07.21.10 - COUNCIL ON GENERAL EDUCATION Charge-CLEAN Copy***Senator Stewart: So, you may recall that this came back from Rules early this year but then it was noticed that, in particular, the procedures that we were using to select members of the Council for General Education were vague and out of date. So, that’s the one additional change that’s been made since then. There’s this crossed out bit about the terms and in particular this language about nomination for membership to be made by the respective college—that wasn’t clear, an appointment by the dean, election—but in discussion with Rules, also with chair Horst, we adopted language that appears in several other external committee, like the Library committee, members shall be nominated and elected by the Faculty Caucus. Otherwise, these are changes that you have all seen before.

Senator Nikolaou: We do need to add two “s” College of Arts and Sciences and College of Applied Sciences.

Senator Garrahy: In the 24 years that I’ve been here it’s the College of Applied Science and Technology.

Senator Nikolaou: Okay. So, we only need one “s.” And then I had one more under the ex-officio. When you’re talking about the CAS Associate Dean, do we mean in general an associate dean or (as far as I know) it was always Sally Perry in CGE. So, is it specifically the Associate Dean for Academic Programs?

Dr. Trites: It was prior to Sally as well.

Senator Nikolaou: So, is that something we need to specify instead of having it Associate Dean in general.

Dr. Trites: I would recommend that it specify the Associate Dean of Academic Programs because the other associate dean typically doesn’t have to deal with curriculum at all.

Senator Horst: You might send a note to Diane Zosky.

Senator Stewart: Okay.

Senator Miller: The comma in the “five ex-officio, voting members,” doesn’t really make sense to me. Would it just be “ex-officio voting members?” Or is there some kind of reason we’re trying to separate them?

Senator Cline: It’s using ex-officio as an adjective, but I don’t know, is ex-officio as adjective in a title?

Senator Horst: So, you can think about that one, Todd.

***From Faculty Affairs Committee: (Information Item 10/20/21)***

***10.07.21.01 Policy 7.4.7 Filling Grant Positions - Current Copy***

***10.07.21.02 PROPOSE DELETION of Policy 7.4.7 Filling Grant Positions - Mark Up***

Senator Nikolaou: This is from 2017 when Human Resources also said that we can delete it; right now it just lists what are the position types, and they are specifically listed on the website. Then Craig McLauchlan also checked with the DHHS (Department of Human and Health Services) because he says sometimes the classifications that we have on Human Resources are different than the classifications that they have to deal for research purposes, and he said there is no discrepancy. So, it is fine on their end with deleting this.

Senator Horst: And HR said it was okay too?

Senator Nikolaou: Yes. And we actually have the HR email in our packet. The recommendation came from HR to be deleted.

Senator Horst: Okay. And anyone from Legal?

Senator Nikolaou: We didn’t check with Legal. No.

Senator Horst: Well, they’ll find out about it because they get our material.

***From Faculty Affairs Committee: (Information Item 10/20/21)***

***10.07.21.03 Policy 3.2.1 Academic Personnel - Current Copy***

***10.07.21.04 Policy 3.2.1 Academic Personnel - Mark Up***

***10.07.21.05 Policy 3.2.1 Academic Personnel - Clean Copy***

Senator Nikolaou: Apart from a couple cleaning up, the main change is we have to delete the information under Additional Information. Partly because Academic Personnel includes faculty, APs, and faculty associates, but then under Additional Information it talks specifically about ASPT. So, it refers to only one aspect of the three personnel that the policy is about. Then, we also deleted “the further policy questions may be directed to the academic personnel office” because we didn’t find such an office in the Provost office. We just thought that these are Roberta’s. So, our other alternative would be actually to say the Associate Vice President for Academic Administration, but we said, okay, it’s about additional questions, it’s eventually going to come to you. So, we deleted it.

***From Amy Roser: (Dist. to Academic Affairs Committee)***

***10.07.21.14 From Amy Roser: EMAIL Policy 2.1.21 Undergraduate Academic Good Standing***

***10.07.21.15 From Amy Roser: Policy 2.1.21 Undergraduate Academic Good Standing \_Current***

***10.07.21.16 From Amy Roser: Policy 2.1.21 Undergraduate Academic Good Standing \_ Mark Up***

***10.07.21.17 From Amy Roser: Policy 2.1.21 Undergraduate Academic Good Standing \_Clean Copy***

[***2.1.11 Satisfactory Progress Required for Continued Financial Aid Eligibility***](https://policy.illinoisstate.edu/students/2-1-11.shtml)

Senator Horst: We have some correspondence from Amy Roser. I talked with Amy Roser and Jana Albrecht this morning. This comes from an audit from the Illinois Student Assistance Commission. They have discovered that there’s discrepancies in the language between 2.1.21 the Undergraduate Academic Standing, Probation, and Reinstatement and that’s Amy Roser’s committee, and 2.1.11 Satisfactory Progress Required for Continued Financial Aid Eligibility. That 2.1.11 had very specific language about the review of progress standards and it talks about the fall semester, spring semester, or summer semester. So, the auditors wanted the language to be the same in both policies. You see that sentence added, “The University evaluates academic standing for undergraduate students based on the GPA for fall, spring, or summer session.” So, all of the language that they’re proposing for 2.1.21 is so that it will conform with this and make the auditors happy. Now, Jana Albrecht said that the changes are required, but because the process that they’re using is already in place, she said it would be okay if this went to an internal committee and it was changed by the end of the academic year. But she didn’t think it wise to have it flagged by the auditors a second time. So, there is some urgency, but not as much urgency as the original correspondence indicated. They do want to get this done because the Illinois Student Assistance Commission is telling them they have to.

Senator Cline: So, the question is whether we’re going to put it straight on the agenda of the Senate and bypass Academic Affairs, or to send it to us?

Senator Horst: Amy Roser’s email talked about the thousands of dollars of student aid that might have to be repaid. I just clarified with Jana Albrecht that we could have until the academic year to get this done. She thinks that will be fine. So, there’s no immediate urgency. At one point they were saying on the phone call December, and then they said maybe we could wait until the end of the academic year. If you get it done by the end of the academic year, we’ll be fine.

Senator Stewart: Does winter session not fit into this at all? Is it exempted for some reason? It says fall semester, spring semester, and summer session, but we do have that weird little three-week winter session.

Senator Horst: That’s a great point.

Senator Stewart: Maybe that doesn’t count as its own… So, there might be a technical reason, but it seems like we should ask about that.

Senator Horst: Maybe you need to have a visit from Amy Roser and then Bridget Curl to go over the revisions and go over this wise question about mini sessions, do they count. It shouldn’t be too hard to fix; it’s just more committee time.

Senator Nikolaou: Do we know in that second sentence under Academic Warning, was that because of the audit where they deleted, “appear to be in jeopardy of being placed on academic probation,” and now they made it really general, “have slipped and could benefit from some support.”

Senator Horst: I don’t know. When I looked at it, the things I was noting was the fall and spring, that they’re adding the summer. But beyond that you’ll have to talk to the people who submitted it.

Senator Nikolaou: Okay.

***\*\*Approval of Proposed Senate Agenda – See pages below\*\****

***Proposed* Academic Senate Meeting Agenda**

**Wednesday, October 20, 2021**

**7:00 P.M.**

**OLD MAIN ROOM, BONE STUDENT CENTER**

***Call to Order***

***Roll Call***

***Public Comment: All speakers must sign in with the Senate Secretary prior to the start of the meeting.***

***Presentation: Block Scheduling (Provost Tarhule)***

***Chairperson's Remarks***

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

***Administrators' Remarks***

* ***President Terri Goss Kinzy***
* ***Provost Aondover Tarhule***
* ***Vice President of Student Affairs Levester Johnson***
* ***Vice President of Finance and Planning Dan Stephens***

***Action Item:***

***09.23.21.07 TEXTBOOK AFFORDABILITY Current Copy***

***09.23.21.05 TEXTBOOK AFFORDABILITY-mark up***

***09.23.21.06 TEXTBOOK AFFORDABILITY-current***

***Information Items:***

***Faculty Affairs Committee:***

***10.07.21.06 Policy 1.8 Integrity policy - Current Copy***

***10.07.21.07 Policy 1.8 Integrity policy - Mark Up***

***10.07.21.08 Policy 1.8 Integrity policy - Clean Copy***

***From Rules Committee:***

***01.21.21.11 COUNCIL ON GENERAL EDUCATION-current***

***10.07.21.12 COUNCIL ON GENERAL EDUCATION charge Mark Up***

***10.07.21.10 - COUNCIL ON GENERAL EDUCATION Charge-CLEAN Copy***

***From Faculty Affairs Committee:***

***10.07.21.01 Policy 7.4.7 Filling Grant Positions - Current Copy***

***10.07.21.02 PROPOSE DELETION of Policy 7.4.7 Filling Grant Positions - Mark Up***

***From Faculty Affairs Committee:***

***10.07.21.03 Policy 3.2.1 Academic Personnel - Current Copy***

***10.07.21.04 Policy 3.2.1 Academic Personnel - Mark Up***

***10.07.21.05 Policy 3.2.1 Academic Personnel - Clean Copy***

***Academic Affairs Committee: Senator Cline***

***Administrative Affairs and Budget Committee: Senator Smudde***

***Faculty Affairs Committee: Senator Nikolaou***

***Planning and Finance Committee: Senator Vogel***

***Rules Committee: Senator Stewart***

***Communications***

***Adjournment or Hard Stop at 8:45 p.m.***

Motion by Senator Villalobos, seconded by Senator Spranger, to approve the proposed Senate agenda. The motion was unanimously approved.

***From Teri Hammer: (Dist. to Rules Committee)***

***10.07.21.28 Email\_Skateboarding Policy***

[***5.1.8 Skateboarding Activities***](https://policy.illinoisstate.edu/health-safety/5-1-8.shtml)Senator Horst: Now we’re on to the Skateboard policy. You all read the report. Cera and I were talking about roller skates or roller blades.

Senator Garrahy: Hoverboards.

Senator Horst: Unicycles. What else needs to be clarified? So, a couple days after the deadline Legal sent in a draft of the Skateboard Activities policy that says “Non-Motorized skateboards may be used on campus walkways…” and then it adds a “Skateboarding is NOT allowed inside any University Buildings.” That’s their suggestion on how to clarify it.

Senator Cline: Can I ask a question? We’re living in a time now where there are a whole lot of individual mobility devices. Right. So, obviously we have the traditional mobility devices from people who require assistance, but then there’s razors and hoverboards, and all of these other things, right.

Senator Spranger: There is a scooter in the SGA office.

Senator Cline: My question is do we want to keep this as a Skateboard policy, or do we want to expand that terminology to include motorized devices? We have to make a clear distinction between devices that are intended for people who have accessibility devices and like recreational devices because they’re ongoing and changing. I know in the county we’re dealing with what is permissible on county roads and what is not permissible on county roads, and the list of things that are coming out is just sort of mind numbing. So, I wonder, because it says skateboard, they address legally skateboard, but I wonder if we could expand it to recreational mobility devices or something like that. Motorized. Yes.

Senator Villalobos: Wouldn’t the language be to disallow the actual act of riding said devices or whatever, or not allowing them in the building at all?

Senator Spranger: You can carry them into class.

Senator Villalobos: Because I was going to say, I would be opposed to language that didn’t allow it at all.

Senator Horst: I think that’s something the committee can work out. But I think the point is that there are all sorts of different kinds of devices now, and so just addressing skateboards is a little bit narrow.

Senator Otto: It would be really nice not to totally target the skate rats. It is more than that. And skateboarding is not a crime.

Senator Cline: Right. I think they might want to expand, because do we want rollerblades in the building?

Senator Spranger: What about recreational wheeled things…

Senator Cline: I know. That’s when you’re talking to the lawyers. But, I mean, you could bump into people and hurt people. That’s really the issue right.

President Kinzy: Have you seen the shoes that are motorized?

Senator Smalls: We aren’t going to be talking about heelies.

President Kinzy: Not like the old school ones. Now people have these really big ones that are literally almost like a motorized wheel on their foot. I saw somebody with them outside my window the other day.

Senator Horst: This is one of these catch all policies, nobody knows where it’s supposed to go so it goes to Rules, remembering that they have the bylaws.

Senator Stewart: I’ve never once seen someone…

Senator Spranger: I have, it was in Stevenson, where the email came from. That place is kind of a war zone.

Senator Horst: Oh, is it?

Senator Nikolaou: I am in Stevenson, and it is pretty much every day. It is on my floor, and you can hear it that something is coming.

Senator Stewart: Is it just one person?

Senator Nikolaou: I think so. I just hear it and only once I went out to see what the thing was… and then I saw the person.

Senator Horst: So, Todd, you can do it in steps. You could do just the no skateboarding inside. And then try to work with Legal to create a draft for all of the other stuff. Do it in steps so we don’t have people skateboarding inside.

Senator Cline: At least you give the ISUPD some teeth. I think it merits its own subcommittee for sure, on wheely devices.

***Policy Review:***

[***5.1.7 Smoke and Tobacco-Free Campus Policy***](https://policy.illinoisstate.edu/health-safety/5-1-7.shtml) ***(Dist. to Rules Committee)***

Senator Horst: This used to get a lot of attention in Rules. This used to dominate the agenda before the Illinois Act came in. It was quite controversial. All right. Distribute that to Rules Committee. I did have one thing on this. The weapons policy has an exception for theatre productions, and I’m wondering if the smoking policy could have an exception for theatre productions? What do you think about that, Senator Cline?

Senator Cline: They’re not smoking real cigarettes, are you? They’re like stage cigarettes.

Senator Horst: Yeah. Something like that.

Senator Cline: Yeah. Because it’s not real weapons, right. Yeah. And they warned us in Caesar last year that there was a weapon that was not really a weapon. I mean they used a very life-like handgun, and they warned you in advance. But whatever the policy which allows dumby devices, I think would be fine to have a dumby cigarette.

President Kinzy: Does vaping need to be added to this smoking policy more explicitly probably now? I mean, that wasn’t a big thing.

Senator Cline: Is vaping covered by the no smoking policy for the state? I don’t know, is it?

Senator Horst: “…cigar, cigarette, hookah, weed, herbs, or other lighted smoking equipment.  Smoke or smoking also includes products containing or delivering nicotine intended or expected for human consumption, or any part of such a product.  Smokeless tobacco and electronic cigarettes are prohibited under this definition.” Is that vaping?

President Kinzy: Yeah. Electronic cigarettes are vaping. It probably needs new lingo.

Senator Horst: The word vaping in there.

Senator Spranger: I don’t think the people who are using them are going to be checking up on policies, but yeah. Addiction is addiction.

Senator Villalobos: Prohibits the use not possession.

Senator Spranger: Right. My residence can have them; they just can’t use them in their room.

Senator Cline: I think the vaguer the language the better. Because, again, the technology changes about every six or seven months, so if we said vaping it will be lapse by the time we get to it. So, whatever the generalized terms are.

[***7.1.4 Inspection, Examination, Use and Control of University Financial Records***](https://policy.illinoisstate.edu/fiscal/7-1-4.shtml) ***(Dist. to Administrative Affairs and Budget Committee)***

Senator Horst: This is scheduled to go to AABC. May want to work with Legal and the Comptroller.

[***7.1.10 Fund Raising***](https://policy.illinoisstate.edu/fiscal/7-1-10.shtml) ***(Dist. to Planning and Finance Committee)***

Senator Horst: We have the Fund Raising policy going to Planning and Finance Committee. They’ll get to work with Pat Vickerman and his office.

[***4.1.5 Final Examinations***](https://policy.illinoisstate.edu/academic/4-1-5.shtml) ***(Dist. to Academic Affairs Committee)***

Senator Horst: The Final Examination policy is a very important policy which contains within it Success Week; the Success Week policy. This is going to Academic Affairs.

[***8.5.1 University Library***](https://policy.illinoisstate.edu/services/8-5-1.shtml) ***(Dist. to Academic Affairs Committee)***

Senator Horst: We have the University Library policy. I was wondering if this could go first to the Library Committee?

Senator Cline: I’m a fan of that because we would want their input anyway. Let’s do that.

Senator Horst: The chair is Marie Labonville.

Senator Cline: That will slow that down so that by the time we can get to it they have put their words in on it. Do I do that distribution or does the Senate office do that distribution?

Senator Horst: I think you should.

Senator Cline: Okay.

***Non-Senate Policy?:***

***09.03.21.04 Fw\_ Senate Policy Review***

[***1.3 Americans with Disabilities Act Policy***](https://policy.illinoisstate.edu/conduct/1-1-3.shtml) ***and*** [***1.3.1 Reasonable Accommodation Procedures for Employees or Applicants***](https://policy.illinoisstate.edu/conduct/1-3-1.shtml) ***(Currently with AABC)***

Senator Horst: Now we are at non-Senate policy. We are at 1.3 and 1.3.1. I do have some correspondence that Cera dug up last time. This was discussed in Exec. Chairperson Kalter said, “So we have reviewed this one before even though, for 1.3 is kind of the same as the ethics policy it’s not like we can change the law or would want to but we review it more for the 1.3.1 which is the procedures part, to make sure that those procedures are understood by everybody, are going well for everybody, and to the extent we control them versus being controlled, are they working.” So, 1.3 is the policy and 1.3.1 is the procedures. The request from Jeff Lange is to take them both off of our Senate policy list and have it be more of an advisory item, like we just did with Title IX.

Senator Cline: Is that the standard structure to have the policy being followed up but a procedure document, decriminalized?

Senator Horst: I’ve seen that in a few policies now, like the Mass Communication policy, we did it that way.

President Kinzy: The reason is because sometimes procedures have to change more frequently than policies, and it means the policy doesn’t have to go through the same level of review, i.e. if we get a new electronic system for requests and the procedure changes, it’s a lot easier than a policy. That’s why I see people do it, for efficiency.

Senator Cline: I suppose my question is why are we not separating them even further? It’s still listed under a policy number. It’s a procedure but it’s listed under a policy number. Why isn’t it even further divorced from the policy process, I guess is what I’m asking.

President Kinzy: Ease for the user. Right. So, if I find the policy then I have to go to a different website to find the procedure, we’ve made it harder for the person that needs to get the accommodation.

Senator Cline: Sure. Senator Otto brought up the question when we were talking about the Withdrawal policy in the Academic Affairs Committee is that basically what we do now is we just send students a link to the policy for Withdrawal, and they’re supposed to find the procedure inside the policy; and that’s not terribly helpful. So, it’s just got me thinking about the genuine separation of procedures, because, as you say, procedures change all the time, a different computing system, a different person runs it slightly differently; so why are they so deeply wedded in the policy structure?

Senator Horst: I understand what you’re saying but this I think is a good thing that they’re separated. To me the policy is very technical and is not something we would change. The 1.3.1 just this past summer, I noted that it should have said you should have correspondences not just with department people, administrators at the department level, but also the college level and the University level. So, if people are doing service on the University level, they notify the Senate or they notify the external committee. So, that was an observation I made this summer about the procedures of how an accommodation would happen.

Senator Cline: I don’t disagree with the separation here. My question is why are they not further divorced? but that’s a bigger question.

Senator Horst: Yeah. But my question, and Jeff Lange’s question, is do we want to keep 1.3 American with Disability Act policy on the Senate policy review list? Right now, it’s scheduled with AABC.

Senator Otto: So, the ADA, I think what Lea is saying is important and going back to Susan’s point (what you read) the ADA is fixed. It’s a federal fixed policy. But there are specifics to our institution, I’m guessing, from what you just said, Martha, well I saw this, that it is interinstitutional -- the procedure part of it. While it may be governed by the ADA, there are similarities to the structure of our particular organization that we need to be sure are updated. So, I would vote for pulling those apart and havin, not the ADA reviewed but the procedures just for those particularities. Rather than it’s connection to the federal law.

Senator Horst: That’s exactly what I’m thinking. That we release 1.3, I don’t think we have any business editing 1.3. But we maintain control of the procedures because that’s something that we definitely want to have input on as to how it’s actually working. And, like you said, it’s more something that’s in house. Everyone okay with that? Okay. 1.3 is no longer a Senate policy but will be advisory to the Senate, if they ever do change it. We’ll keep 1.3.1 as a Senate policy.

[***1.15 Whistleblower Policy***](https://policy.illinoisstate.edu/conduct/1-15.shtml) ***(Currently in Rules and University Compliance Committee)***

Senator Horst: This right now, there’s this compliance group which is many people from Legal, Risk Management, and representatives from across the University and they are looking at this Whistleblower policy. I asked them to do a read of this Whistleblower policy and it’s currently slated to go through Rules and the compliance committee is going to help with that. After we do that are people happy releasing this policy?

Senator Garrahy: Because that is mandated by the state, correct?

Senator Cline: And federal law.

Senator Horst: Yes. And the Office of University Ethics is Rob Blemler, and he’s part of this University Compliance group. Do you want to have it continue to go through Rules but after that no longer be a Senate policy? Because effectively when we review this policy, we have to go to the experts anyway. And add it to the advisory list? (Yes’) Okay.

***3.1.16 Disclosure of Economic Interest***

Senator Horst: This is pursuant to 5 ILCS 420/4A-101. This is also part of our Ethics training. Do you think this is a Senate policy? (No’s) Okay. This will be removed from the Senate list and doesn’t need to be advisory item.

[***5.1.1 Concealed Carry and Prohibited Weapons Policy***](https://policy.illinoisstate.edu/health-safety/general/5.1.1Concealed%20Carry.shtml)

Senator Horst: This is the Illinois Firearm Conceal Carry Act 430 ILCS 66. This was 2013, I remember when this went through. Do people want to maintain control of this policy?

Senator Otto: Is there a way in which ISU’s policy is more restrictive than the state policy?

Senator Horst: I don’t know.

Senator Otto: I would say that would be the only reason that we would need to maintain it.

Senator Spranger: It seems like the state one is pretty comprehensive. Like, I don’t know what else we would do.

Senator Cline: Are we allowed to further restrict on state grounds. We are? It was an honest question, if we are allowed to be more strict than the law and the state.

Dr. Trites: We were back in the day with smoking.

Senator Horst: Right. So, I could ask that question to Legal, and if the answer is no this is exactly the law, then are people comfortable releasing this as a Senate policy, and it will become an advisory policy?

Senator Nikolaou: I have a question about the exceptions. For the exceptions, is it one that they have an exception because of the Military Science degree? It also refers to instruction and research in the policy. And it also refers to dismissal of students and faculty/employees. So, there are these three items that make me think that that’s why it is with us so that it is consistent with ASPT for faculty, and other university policies for the other employees.

Senator Horst: That’s an excellent point.

Senator Nikolaou: That’s why I had it as a question mark policy, if it should stay.

Senator Cline: When’s the last time it was reviewed?

Senator Horst: 2014. So, based on what Dimitrios just said, his three observations, keep it a Senate policy?

Senator Cline: At least through the next review I would think.

Senator Horst: But a policy that you’ll work very closely with Legal. Okay. So, that’s a no.

Ms. Hazelrigg: Are we sending that to a committee or are we just declaring that it’s a Senate policy?

Senator Horst: Is that on our list?

Ms. Hazelrigg: If it was last reviewed in 2014, yes.

Senator Horst: We will send it to Rules. Okay.

***7.7.4 Federal Perkins Loan***

Senator Horst: Is this a Senate policy?

Senator Garrahy: With the word federal in it and it’s governed by the government, and it’s money so it’s definitely government.

Senator Horst: Yeah. And the more policies like this we control the more we can gum up the works for financial aid, which is not a good thing. Are people comfortable releasing this policy? All right. Do we need this as an advisory item?

Senator Cline: No. Let the experts handle it.

Senator Horst: Okay. I’m getting from the room that this is not a Senate policy and we don’t need to know when it’s changed. Okay.

***10.07.21.20 Horst-Cline Email\_UCC liaison***

***10.07.21.21 Academic Affairs Committee Charge***

***10.07.21.22 University Curriculum Committee Charge\_Current Copy***

***10.07.21.19 Kalter Email\_ Request for the Executive Committee to discuss transparency in governance***

***09.22.21.10 From Susan Kalter: Kalter Email \_Request for the Executive Committee to discuss transparency in governance***

***09.26.21.01 From Susan Kalter: Kalter Email\_ RE\_ Request for numbered communication***

Senator Horst: We now have the correspondence from Professor Kalter. And the correspondence that I and Senator Cline had with her. So, I just wanted to start off with email from September 22 and go through the items that she wanted to address. She wants to be able to judge what is relevant to communicate to the UCC, whether through request at the meetings or through other means. She wants us to discuss whether it is proper for one individual or any individual on campus to be denied receipt of distributed communications filed with the Senate office. She wants us to discuss is one individual being denied access that others have been in the past and/or would today be granted if they requested access? She wants us members to discuss the new principle (that she perceives) that only Senator or committee members are now able to see and read the drafts of the various proposed policies, procedures, guidelines, and other documents that may govern then in the future, whether it’s beneficial for our campus given that it represents a complete closing down of transparency of governance. She wants us to discuss how members of campus will be able to give meaningful input during their public comment or to their respective representatives in the Senate should one or more of those members of campus request the ability to read proposed revisions to a policy and be denied. And she wants us to advise relevant members of the Senate and Senate office regarding how the relationship with the UCC liaison can be repaired.

So, I’d like to go through those. Are there any other items that you think Professor Kalter would like us to address? (Pause) All right. I’d like us to just focus now on, we are the Executive Committee, so our job is to route things… we recommend that internal committees review items. So, our job is to recommend that items go to the internal committees for review. And we deem them to be Senate matters. So, let’s start with the first one. She wants to be able to judge what is relevant to communicate to the UCC, whether through request at the meetings or through other means. I think in my perception of this question, I’m just going to broaden it and say that the role of the liaison is not clear. Is that a fair assessment? So, she views the role of the liaison as being… she is communicating back to the UCC what’s going on in the Senate. That’s not my perception, but we could send to the Rules committee a request to clarify liaison appointments in general.

Senator Stewart: I think, frankly, that’s already a discussion of the Senate bylaws revision committee.

Senator Nikolaou: Right. So, we thought it would be beneficial to have an explicit section where we say what is the roles and responsibilities of liaisons from whichever committee they may be coming. Because we had it for a different part of the bylaws. So, if we provide clarity as to who and what the liaison is supposed to be doing it might help with future discussions.

Senator Horst: I know you guys were talking about expanding, there might be a liaison from the AP Council for instance.

Senator Stewart: Exactly.

Senator Horst: And if this external committee has a liaison and the liaison is not just coming when there are UCC matters but actually conveying material back to the Senate, would there be liaisons for other external committees? So, does everyone agree with the assessment that this should go to Rules?

Senator Miller: Just on the clarification on what a liaison is?

Senator Horst: Yes, just on the clarification on what a liaison is, and if they do plan on broadening the number of liaisons. If they plan on creating a Civil Service Council liaison, something like that, then you can spell that out in the bylaws.

Senator Cline: I think particularly important is the unification of the bylaws of the internal and external committees. So, when the internal committee does not state any liaison on their list, but the external committee is listing a liaison, that mismatch needs to be addressed in some way. I think that’s already an issue.

Senator Horst: Right. Because liaisons can’t serve as committee members by the definition of, we have an internal committee that is being defined as being senators. Right.

Okay. Let’s go on to the next one. To discuss whether it is proper for one individual or any individual on campus to be denied receipt of distributed communications filed with the Senate office, or distributed to committees from the Senate office, upon the individual’s request, either to the Senate office or to the chair of the committee to view those communications. So, we have in our bylaws Article V that says we can share materials. We have guidance from Legal that says we can share materials if we choose or not choose. Does this body want to forward this item? Do you recommend this item go to a committee and if so what committee?

Motion by Senator Villalobos, seconded by Senator Garrahy, to dismiss.

Senator Nikolaou: So here, are we talking about communications in the way that we are using it on the Senate or are we talking about material?

Senator Horst: I perceive it as all Senate material. Distributed communications filed with the Senate office are things that go into the TEAMS site, for instance. Filed set of items, right. Items filed with the Senate office. We have this filing stage and those are the items that get sent to the TEAMS site.

Senator Nikolaou: And we are talking about the stage where it is still with the committee, right?

Senator Horst: Items that get a Senate number. And they’re filed. They’re filed with the Senate office and they get this official number, and then they go, potentially, through this whole review process.

Senator Nikolaou: So, the ones that go to the Senate floor. Not the ones that go for instance to my committee members.

Ms. Hazelrigg: It could be Exec, internal committees, Senate, Faculty Caucus. Anything that has a document number from the Senate office.

Senator Nikolaou: Because the two are slightly different. Because what I send to my committee members, they go to my committee members, but then we are done, we forward it, and then you send it to the Senators and the chairs and directors…

Senator Horst: You can share anything to anyone at any time.

Senator Cline: What the question is actually asking is the numbered and distributed documents. For our purposes these are basically things that are in the Issues Pending lists. So, if you put on notes or exchanges or articles for your members in folders within TEAMS those are not numbered and distributed documents. The things that are numbered and distributed have come to us from the Senate office and those are usually, not always, but usually in the Issues Pending folders, those sort of things.

Senator Nikolaou: Yeah. That’s what I’m trying to figure out. If we’re talking about that part, the ones for the Issues Pending or the ones for example that we got for next Wednesday. Because these ones, they go to the chairs and then the chairs, presumably, they’re sending it to everyone.

Senator Horst: You would think, but they don’t have to. Right.

Senator Nikolaou: Well, you would assume.

Senator Horst: Right. You would assume. And I forward it all. But my committee is working on a document and for some reason it’s still in draft form, for example, the Academic Planning Committee is working on a draft of a review of a group and you’re not ready to release it, can an individual be denied that?

Dr. Trites: I’m not seeing anything about draft form in this request.

Senator Cline: Draft form stuff isn’t covered; they can be denied by law.

Dr. Trites: Yeah. But this request is just receipt of distributed communications.

Senator Horst: Filed with the Senate office. So, I’m perceiving it as everything that’s filed with the Senate office, which would be drafts.

Senator Cline: It’s the things we get in our packets.

Senator Nikolaou: In our packets, not in the committees.

Senator Horst: Yeah. Anything with a filing number. In your committee, you get it in your Issues Pending list.

Senator Nikolaou: Well, for example, if I used that 1.8 where we created our own comments and then we were responding to these comments. That one doesn’t have an actual Senate number, so it is a draft of my committee that I don’t have to share in any one way.

Senator Nikolaou: Right. But Legal has clarified that everything is a draft up to the signature of the President.

Senator Garrahy: And basically, the documents that we’re talking about, the filed documents are for the members of the Academic Senate, correct? That’s the stuff we get as the members who have been elected by their respective bodies.

Senator Horst: Yes, and they can distribute it as they see fit, unless it is flagged as being confidential.

Senator Otto: Can I ask a clarifying question? Are we talking about this in the context of the liaison discussion specifically or are we talking about this in terms of the broader constituency?

Senator Horst: I think we have to discuss it… She says she wants the members of the Executive Committee to discuss whether it is proper for one individual or any individual on campus to be denied receipt of distributed communications filed with the Senate office or distributed to committees from the Senate office upon that individuals request, either to the Senate office or to the chair of the committee to view those communications. So, she’s broadened it. Right?

Senator Otto: I see.

Senator Horst: The title of the email is Transparency in Governance.

Dr. Trites: I’m going to ask the question in reverse. Okay. And I’m pretty aware of the situation. In general, isn’t the principle of openness and transparency servicing the Senate better than the appearance of controlling and appearing to block transparency? That’s the principle I’m asking about. I’m just asking about the non-confidential materials. Isn’t the university better served by the appearance of transparency rather than the appearance of blocking transparency?

Senator Horst: What I’m concerned about is the amount of material that would be released. Because it’s not just the Senate, it’s all of the external committees of the Senate and all the internal committees of the Senate, and just to be releasing all of that when it’s not felt that it’s ready to be released, we talked about posting it. It’s a lot of material to be released to be putting out there that’s in draft form; we’re not ready to release it. Right.

Dr. Trites: I’m just suggesting what I’m saying because I can well imagine how this might be spun. That it shouldn’t matter if it’s one communication or a million, the principle—I’m not arguing with you at all, I’m just trying to preserve the integrity of the process.

Senator Horst: I think the process is served by the individuals of the Senate. We can make a judgement call, we can work with our constituencies, and we can release it.

Senator Otto: I think the good faith point is really important though.

Senator Villalobos: Isn’t the question, we’re not discussing the broader aspect about it. The question is whether we’re delegating this specific issue to a specific committee, and I would say that you said that we already have the guidance from Legal and we already have the standing principles that we have, so, regardless, we’re not talking about the broader point, we’re talking about that.

Senator Horst: Right.

Senator Villalobos: So, I would again, reintroduce my motion to dismiss.

Senator Cline: We have a motion on the floor and a second.

The motion was approved, 8-2.

Senator Horst: Okay. Now we are going to the next one. Is one individual being denied access that others have been in the past and/or would today be granted if they requested access? Is this a Senate matter and what committee would you like to forward that question to?

Senator Miller: Does it have to be a Senate matter, or can it just be this committee’s matter?

Senator Horst: This committee is not a personnel committee. This committee is not a committee that talks about behavior of senators. Right.

Dr. Trites: So, again, I’m just asking, would that be Faculty Affairs?

Senator Horst: Faculty Affairs deals with faculty policies.

Dr. Trites: And this isn’t, okay.

Senator Horst: This is AFEGC. This is a grievance.

Senator Garrahy: Then file the grievance. Not us.

Senator Horst: Is one individual being denied access? Is this a Senate matter and, if so, which committee would you like to forward it to?

Senator Nikolaou: It might not be related specifically to that one, it might be linked to a previous one. I’m thinking in terms of liaisons, and the part where we said that in the Bylaws as we are working on them, we are going to create what is the definition of a liaison. So, when we talk about the liaison’s in there, I’m assuming these things are going to be addressed. Because I’m thinking, for example, if you are the A/P liaison, wouldn’t we want to show all the policies to the A/P Council, and the A/P Council is going to tell us these are the policies that we are interested in. So, that when we know that we are going to talk about these policies we can inform them, and we can distribute the appropriate material. That’s why I didn’t vote for the previous one, because I was thinking about that side. Because if we are going to define what a liaison means that previous part about distributed communication…

Senator Horst: So, you’re saying that this access question can be grouped in with the question that’s going to Rules?

Senator Nikolaou: Yes. I wouldn’t send them separate. I would send them that you are talking about a liaison position no matter who it is. So, if we come with a section in the Bylaws where we say these are the liaisons, this is their role, and that’s the material that they have access to, it’s going to address the first two questions.

Senator Stewart: That’s the long-term way to address this; but this particular issue is about is a particular individual being denied access in this case. I don’t think that’s Senate Bylaws revision.

Senator Nikolaou: Yeah.

Senator Spranger: So, in the past it’s just up to the committee chair; and if they want to include people on their emails that they want to send out, it’s up to the chair.

Senator Horst: Yeah. So, like when I was the chair of the Rules Committee and I had Bylaws from the College of Ed, I would invite the College of Ed Council chair. I would forward the materials to them.

Senator Spranger: And there’s a precedent for that?

Senator Horst: I wouldn’t necessarily forward the materials to the College of Ed Council chair for any other matter.

Senator Spranger: Okay.

Dr. Trites: Pertain to that committee.

Senator Horst: Yes. That pertain to that committee.

Senator Spranger: And is that, Senator Cline, not to put you on the spot, but have you sent any materials her way that you felt… I guess we haven’t really talked about curriculum yet. Okay. But if we were going to talk about something curriculum related, you would forward it to them?

Senator Cline: As I’ve stated in writing many times, if we are dealing with anything that’s coming from the University Curriculum Committee to the Academic Affairs Committee, she would be consulted and read in as every visitor to the committee is.

Senator Spranger: Okay.

Senator Cline: But I would not then be giving that UCC liaison access to the full TEAMS site, but to the documents and materials relevant to the discussion of that topic, as I’ve done with Jess Ray having to do with Withdrawal. Things like that.

Senator Spranger: Yeah.

Senator Horst: So, when you have an item in your committee, you bring in the experts. You bring in the liaison. This is a formal relationship. But to me I think the real crux of it, I’ve thought about it today, I think the real crux of it is that she’s viewing the liaison as like she’s conveying back to the UCC what the Senate is doing. And we’re viewing it as she’s coming in for UCC matters, and I think that’s really where the confusion is. So, it’s all kind of articulating what the liaison is, I think is what’s going on.

Senator Otto: Well, because the liaison is not a one-way street. It’s not a one-way process. There is back and forth. So, knowing what that is, what that constitutes and what that entitles folks to is really important to get straightened out.

Senator Horst: Yeah.

Dr. Trites: Did we decide that Rules was going to define the liaison?

Senator Horst: Yeah. They are.

Dr. Trites: Can I, again, I don’t have a vote, but I’m going to suggest that everything that we’re talking about is going back to what’s the function of the liaison. And so, my suggest would be that we respond that yes, we have Rules working on this to allow for the appearance of clear communication between us and Professor Kalter. So, that she doesn’t believe that her concern is being ignored.

Senator Horst: Yes. I will communicate with Professor Kalter.

Dr. Trites: But I…

Senator Horst: Can I just move on because it’s 5:30 p.m. and we’ve got a whole other meeting to do, Roberta.

Dr. Trites: I know, I’m just thinking everything liaison should go back to Rules.

Senator Horst: It will. Okay. Is there anything anyone else wants to say about the denied access one? It’s sort of linked with the liaison issue but it’s to me outside of the Senate purview. Does everyone agree with that?

Senator Villalobos: Yep.

Senator Horst: Okay. The new principle that only senators are now able to see and read drafts. Is there any matter you see there? Is it beneficial for our campus given that it represents a complete closing down of transparency of governance? Is there any issue you would like to forward to a committee and if so what committee?

Senator Garrahy: Which paragraph are you reading?

Senator Horst: She wants the members to discuss this new principle that only senators are now able to see and read drafts of the various proposed policies, procedures, and guidelines. Again, all of our documents are free to be shared. It’s in our Bylaws.

Senator Garrahy: Wouldn’t one just contact their representative if they wanted access to these documents?

Senator Horst: Yes.

Senator Villalobos: I would say no.

(several Nos at once)

Senator Horst: You say no what?

Senator Villalobos: That there’s no committee to refer this to.

Senator Garrahy: I just don’t understand. We’re each elected from our constituency. If there’s something I want to know (which is what I did as a faculty member before I stepped on) I would contact my elected representative.

Senator Stewart: I think the issue is, what if you ask your elected representative and they say no. I may give you the materials, but I’m not required to give you the materials.

Senator Horst: The drafts.

Senator Garrahy: Yeah. Okay. Because that’s as it is right now.

Senator Horst: That’s how it is right now. We are operating under the Open Meetings Act. We are not required to share everything. But it’s up to the discretion of the individual senator.

Senator Villalobos: And that is determined by the Bylaws I assume.

Senator Horst: Yes. That is determined by the Bylaws.

Senator Villalobos: So, I don’t see a need for it to be sent to a committee.

Senator Spranger: I guess vote them out if you don’t like the job that they do.

Senator Horst: Is there any other discussion on this one? (Pause) I’m getting a sense that people don’t want to forward this one. Is that correct? Anybody want to forward this one to a committee? (Pause) I think we all say no on that one.

Ask the members how members of campus would be able to give meaningful input during either public comment or to their respective representatives in the Senate should one or more of those members of campus request at the ability to read proposed revisions to a policy and be denied.

Senator Nikolaou: To clarify, let’s say I’m not in the Senate. Can my chair deny giving me the material?

Senator Horst: I don’t see why they would. They’re all forwarded all the material. Every single chair is forwarded the Senate packet.

Senator Nikolaou: I’m just thinking based on what we said earlier, let’s say that I contact my Senator and my Senator says no. Okay, that’s fine. The material that goes on the Senate floor, that’s when we send it to the chairs and then the chair as your direct supervisor is supposed to be distributing to faculty. But then are the chairs bound by our bylaws where they can say, oh, no, no, no I don’t want to give you the material that they send me.

Senator Horst: They could.

Senator Nikolaou: That’s the problem that I see here.

Senator Cline: Read the statement again. The question that she’s asked is stuff that has been forwarded to the Senate for approval. So, she’s talking about the stage that’s after the committee stage. Stuff that has been forwarded. So, I don’t understand the question because the stuff that is forwarded is public, and it’s put into the packet.

Senator Horst: Well, it’s not completely public.

Senator Nikolaou: But it’s not public.

Senator Cline: Not totally. The working part is not completely public.

Senator Nikolaou: Based on that one, I’m thinking that it’s being addressed that we cc the chairs and the directors. But then based on what we said earlier that creates a question mark, because we said earlier that my chair can say I’m not going to give you the material that the Senate forwarded.

Dr. Trites: I’m sorry to bother all of you but I’m on the Emergency Situation Team and I’m getting updates about a rotation just south of here. Just so you’ll know the tornado shelter in this building, we must use these staircases here, and it is on the interior walls this side of the building, should the alarms go off.

Senator Garrahy: If the alarms go off, I’m outa here.

(Laughter)

Senator Horst: So, let’s keep on going. Members of campus will be able to give meaningful input either during public comment or their respective representatives in the Senate should one or more of those members of campus request the ability to read proposed revisions to a policy and be denied. So, again, are we going to mandate that everything has to be shared or are we going to leave it up to the discretion of the Senators (which include all of the chairs)?

Senator Nikolaou: But are the chairs senators? They are not.

Senator Horst: They have a representative through the Chairs Council. That’s why they receive everything.

Senator Garrahy: The chair of the Chairs Council.

Senator Horst: Yes. The chair of the Chairs Council. They are all represented. That’s why they all receive the packets. Do we want to forward this item and if so, what committee? I mean you are talking all about Article V that says the senators can share materials. Would you want to make it they must share materials?

Senator Garrahy: I would not.

Senator Otto: What if it’s must share materials if requested.

Senator Horst: That would be the wording change. So, for instance, I’m working on the Amorous Relations policy. I don’t think it’s ready to be reviewed. I have to discuss with Legal and then someone says I want to see that before it’s gone to Legal.

Senator Cline: Yeah. I think there are a lot of legal pitfalls in this if you say that they must share, from my recent engagement with the FOIA officer and Legal, I think we could get ourselves into trouble if we mandate that without any external legal review before things are released.

Senator Horst: But we can forward it to the Rules Committee. The phrase would be then, instead of the Senators may distribute it or not, it would be the Senators must distribute it if requested by members of the public or members of the campus? Do you want to send that potential wording… No. You’re shaking your head no. Please raise your hand if you would like to forward that language to the Rules Committee, or anything to do with this. Stacy. Anybody else. Todd.

Senator Nikolaou: Again, I see them all interrelated.

Dr. Trites: That’s what I was trying to say earlier.

Senator Nikolaou: But, yeah, I would say if they are talking about the liaison.

Senator Horst: But this isn’t. This is talking about members of campus. It doesn’t say the liaison. It says members of campus.

Senator Nikolaou: And that’s why it is hard to separate because the next paragraph is about the UCC liaison. So, it gives the impression that everything above it refers to the UCC liaison. That’s why it seems that they are…

Senator Horst: I also think that she thinks to have a meaningful input in public comment, all of the materials should be freely accessible. I think that’s what she’s asking.

Senator Nikolaou: I agree with what we said earlier. Because I’m thinking that if we are working with an item in my committee and we are just trying to figure out what we are going to present in Senate, it makes sense to not just distribute it to everyone. But then at that stage when we get the folders and we cc the chairs, that’s my problem over there, that if the chairs say, no, I’m not going to give them to you, I don’t think that that should be allowed. That the chair says I’m not going to distribute material that the Senate has sent to me.

Senator Cline: Clarify department chairs and committee chairs when you…

Senator Nikolaou: Yeah. And it is this actual stage where it moves from the draft word that we are doing within the internal committees and we transition in the full Senate where we can discuss about the different material, and since the chairs are included then it might be that we need to clarify that the chairs and the school directors are required to give the material if requested.

Senator Horst: But then it would be all senators. There’s no reason to make it just the chairs. It would be all senators are required to distribute the material if requested.

Senator Nikolaou: It’s not exactly the same because they could request from me the information while we are working, and I have not forwarded it to the…

Senator Horst: So, things that are up in front of the Senate as information or action items?

Senator Nikolaou: Yes. That’s the distinction I have in mind. Once they come to the Senate for information stage, since it is distributed pretty much to all departments and schools, I can see why the information would be distributed to others. But then not before it moves to information stage because the committees are still doing their work, and obviously you don’t want to have…

Senator Horst: I would argue that you are still doing your work on the floor.

Senator Nikolaou: But the argument is that the chairs have been informed.

Senator Horst: Because we are having this discussion it sounds like there’s some interest in having a committee look at it. Right? So, let’s go back. Our decision is do we want to forward this conversation about whether, let’s just clarify it and say items that are in information and action item stage must be distributed if requested, or something like that. The whole topic. Do you want to send that to the Rules Committee?

The vote did not pass, 4-5.

Senator Horst: Now, we are at: advise relevant members of the Senate and Senate office regarding how the relationship between the liaison can be repaired and the longstanding past practice of communication with the liaison restored.

Senator Spranger: That sounds like interpersonal relationships.

Senator Miller: That sounds like principle, not anything that we deal with policy wise.

Senator Horst: Alright. Does anyone want to forward that to a committee?

(Several Nos)

Senator Nikolaou: And the part about the liaison is going to be addressed by Rules.

Senator Horst: Okay. So, we’re going to clarify the liaison language and as we do that, we are also going to ask that Rules consider what kind of access those liaisons would have and make it clear. Right? I think we didn’t approve anything else. Is that correct? Okay.

***Adjournment***

Motion by Senator Miller, Seconded by Senator Nikolaou, to adjourn. The motion was unanimously approved.

**Attendance**

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| --- | --- | --- | --- | --- |
| **SENATE****REPRESENTATIVES** | **Attendance** | **MOTION:** | **MOTION:** | **MOTION:** |
| Name |  |  |  |  |
| Cline, Lea | Present |  |  |  |
| Garrahy, Deb | Present |  |  |  |
| Horst, Martha | Present |  |  |  |
| Kinzy, Terri\* | Present | NV | NV | NV |
| Miller, Chloe | Present |  |  |  |
| Nikolaou, Dimitrios | Present |  |  |  |
| Otto, Stacy | Virtual |  |  |  |
| Small, Maddy | Present |  |  |  |
| Spranger, Avery | Present |  |  |  |
| Stewart, Todd | Present |  |  |  |
| Roberta Trites (sub for Tarhule, Aondover)\* | Present | NV | NV | NV |
| Villalobos, Rodrigo | Present |  |  |  |