**Academic Senate Executive Committee Minutes**

**Monday, September 19, 2016**

**(Approved)**

***Call to Order***

Senator Kalter called the meeting to order.

***Distributed Communications:***

***08.08.16.01 From Risa Lieberwitz, AAUP: The Uses and Abuses of Title IX (corrected) Email (Dist. Academic Affairs Committee and Faculty Affairs Committee)***

***Executive Summary:*** [***https://www.aaup.org/report/history-uses-and-abuses-title-ix***](https://www.aaup.org/report/history-uses-and-abuses-title-ix)

***Title IX Report: In the event that you cannot open the pdf in your packet, the link to the report is on the first page of the online Executive Summary (Do Not Print -31 Pages)***

***09.03.16.02 From Lisa Huson, Legal Counsel: 1.2.1 Anti-Harassment & Non-Discrimination Policy Complaint Procedures (Dist. Rules Committee)***

***09.03.16.01 From Lisa Huson, Legal Counsel: Code of Student Conduct (Dist. Rules Committee)***

Senator Kalter: We start out with three items. One of them is a carryover from last time that accompanies the next two. So, over the summer, Dr. Dietz had to do some quick changes to two policies. One is the Anti-Harassment and Non-Discrimination Policy and the other is the Student Code of Conduct. And it just so happened that also over the summer the American Association of University Professors – they had actually done this in the spring, I think – but they sent this bulletin out in the summer that came in my home address and I actually sat down one night and read their very, very long examination of what has been going on with Title IX throughout universities all over the country. It's extraordinarily interesting reading. The basic premise is that they believe that the Office of Civil Rights has overstepped their authority, that they're telling universities things about how to interpret the Title IX law, and they're concerned about a number of different things such as changing the standard from severe and pervasive for sexual harassment to severe or pervasive to lowering the evidentiary standard from… I think they lowered it from preponderance of evidence or, no, it must be reasonable doubt, and so given that that's not the same in the legal system as it is in the due process system, etc.

A couple things to know… So, originally what I had thought is that the two items – the policy and the Code changes – could be sort of severed from this report because it seems like the report is more for long-term contemplation of both how does this affect students and how does it affect faculty. And so right now the suggestion on the report is to forward it to two different committees that deal with those areas, Academic Affairs and Faculty Affairs, and to have them sort that through. Part of what they're asking is that there be shared governance involved in… Or what they're recommending, I should say, is that universities involve shared governance bodies in the policies that come out around Title IX issues. You'll see that on the agenda usually what happens is that Cynthia does the assignment to the various committees. She had routed these two things to Rules Committee, not to either of the other two committees mainly because they usually deal with the Student Code and they usually deal with things like the Anti-Harassment Policy.

Now the Code, generally speaking, goes to the student government first so I'm not sure why that one was directed towards Rules. We may want to talk about that overall. I will say that I didn't find much to object to or anything in the 1.2.1 changes, but I'm not that happy about seeing things in the Code of Student Conduct erased that have nothing to do with the compliance issues. Like when you say the introductions are non-substantive. Those introductions were written in a shared governance spirit, I hope, and through a shared governance process and I also think that the Code is supposed to be educative of the students and the other people, staff who are reading it rather than merely a compliance instrument. So that one seems to me a little bit more complicated in terms of just sort of revealing what the changes were and the idea that we just essentially were having this passed by us because it had to happen in the middle of the summer. It may make that one a little bit less easy to think about because there was more change in it than was actually merely needed to comply with the rule changes and the sort of interpretation changes in the law.

Senator Gizzi: I am very disturbed by the Code of Student Conduct. I don't care about the compliance stuff. That's fine. But the substantive changes – and I'm not talking about the gender neutral stuff – that's not substantive that’s just stylistic, but the substantive changes that are made to the Code haven't gone through our shared governance at all, and I'm inclined… There are two things that are going on in my mind. One is that with those, I'm inclined to send to the Senate a version of that that strips out any of the non-substantive changes and just the compliance ones for now because of the fact that… And I also don't like that this is already on our website as being approved as some of it is like after the fact. But the other thing is, and the students are going to jump in on this in a second, is I know the students – and I'll be honest, I've been working with the students for the last several months – there's a great deal of frustration over the last round of revisions to the Code and there are a great deal of issues that they feel, and which I agree, that need to be dealt with. At a minimum, I'd like to hold this until the document that they've been working on comes to us, which will hopefully be in two weeks. Do you want to say anything?

Senator Heylin: So, first, I was a little disappointed to see that no one from the Student Government Association was notified that there was a revision of the Code of Conduct that went into effect the last month, so we were kind of operating under the assumption that we were in the same Code of Conduct that we passed a year or two ago. I think a simple e-mail would have at least sufficed, notifying us of the change. But we've also been working over the summer to kind of adjust some of the issues that we had with the Code of Conduct, especially some of the shared governance processes that it has gone through. And we have a couple documents that we're going to be submitting to Academic Exec for our next meeting, so I'd rather wait to kind of discuss the substantive issues, but just as a notification that we will be bringing forth some of our issues.

Senator Gizzi: With that in mind, I'd like to hold this until the next meeting so we can consider both of them at the same time. But let me give one example of a substantive change that really bothered me. It was the fact that there's now a new standard of guilt that's established. It's called preponderance of the information, which is like what the Supreme Court does with totality of the circumstances. It's like the lowest potential standard imaginable and gives complete discretion to the hearing officer in many ways. And stuff like that, I think, demands discussion given the discussion we had in our Full Senate a year and a half ago. So what I would like to suggest is we hold off on the Code issue for two weeks until we have the documents from the Senate, from the Student Code.

Senator Kalter: And I think that that also complicates what we do with the AAUP document because I think that that document is supporting your perspective on that, right? It is basically saying this is a problem. It's a problem that's pervaded a number of different institutions, that they're observing this and so my original thought about putting the Uses and Abuses of Title IX on agendas for the committees was sort of a long-term consideration but it may hasten that need to sort of read through that report. It's a very, very thoughtful report. It was done by a joint committee of the Academic Freedom Committee of AAUP and the Women in the Profession Committee. So it's from the point of view of we want to protect all sides. We want to protect freedom of speech. We want to protect students. We want to protect faculty, etc. But we also take seriously Title IX issues and sexual harassment. I think also what this has brought up… We've been trying over the last three or four years to work out what should we be doing, especially over the summer when we have things that the President simply needs to sign in order to get the university into compliance, and we thought that we had a pretty good system.

Dr. Dietz did notify me, I'm trying to remember which meeting it was, exactly, about both changes. I'm guessing it was the August one before school started, although I'm not entirely sure about that. But what I think this has raised, since we didn't see the drafts until about two weeks ago, I think, I was quite surprised with the Code one at the extent of the changes. In other words, that they went beyond what was merely needed to comply and sort of started in on the process of editing. And actually, even though I agree with Dr. Gizzi that the gender neutral language is non-substantive in a certain way, for many people it's not. We had a whole debate, a little mini-debate on the floor of the Senate last year, about which terms to use. Should you use the plural pronoun as a substitute, etc? So I've found that to be much more than usually happens. Usually when the President notifies me that something's been changed, I'll look at it and say, yeah, that was really clearly to do only with the law. So we may need to have a little bit of a procedure change where we get notified at the beginning of the process and that SGA gets notified at the beginning of the process instead of at the end of the process.

There's another thing on the agenda later on where a similar, not the same thing as with the Code, but similar kinds of process things are coming up that Dr. Krejci and I have just realized and thought, "oh, we thought the process worked" and then it turned out something slipped through the cracks again. So what do people think about… Let's go to the Code one first. What do people think about Dr. Gizzi's suggestion that we just hold this and talk about it in two weeks when we also have the SGA comment on the code in general?

Senator Grzanich: Personally, I would love to hold it off. I know Dan and myself and a couple other guys have really been putting time and effort into looking at it from a student's perspective and not from the Law Department's perspective to make sure that… You know, we are the ones that are living under this Code of Conduct. We are the ones who are held liable on these statutes and to change, you know, more likely than not, a preponderance of information. Stuff like that kind of really shifts the mentality of making sure that the school has an upper hand in something that should be a shared governance process. The essence of shared governance should ultimately fall down to the Student Code of Contact. It should be the main pillar of the two parties coming together, and for that to be stepped over is stepping over a pretty defined line, in my opinion.

Senator Hoelscher: I was going to say, if we call ourselves shared governance and if we make a really big deal about it being student participatory, then we need to walk the walk, and I would think that it's not too much to ask to put it off for a couple of weeks.

Senator Kalter: All nodding.

Motion: By Senator Gizzi, seconded by Senator Hoelscher, to table the discussion for two weeks.

President Dietz: I just want to speak because I'm the one that signed off on this. I believe in shared governance. I also believe in being compliant with federal and state law, and that's the reason this thing moved as quickly as it did. I invite the conversation and the discussion about this. The only thing that I would ask is that our General Counsel be involved in those discussions because that's really important on this. The other thing… There's a spirit right now that – and I'm not going to describe this well – I guess I would just say we also need to make sure that we're reflecting the best practices and the language of best practices. There's phenomenal pressure right now from the federal government and others to make sure that we are in compliance with Title IX, and that's taken very, very seriously. If you go with something less than a preponderance of evidence, you're going to take some of the authority away from the people that enforce that and you're not going to be as protective as you think you are.

Senator Gizzi: I think they want more, not less.

Senator Walsh: Yeah. Preponderance of the evidence is the bottom. It's the least here.

President Dietz: Okay. So you're wanting more? Okay.

Senator Walsh: A higher standard.

President Dietz: A higher standard. Okay. But you're talking about the people that would be implementing the code would be subject to a higher standard than the preponderance of evidence? Is that what you're suggesting?

Senator Heylin: There's going to be a couple areas. We're not suggesting… We're not coming forward with specific corrections or changes that we want to see but more what we think is a way to facilitate more discussion than was had last time. But, yes, we do kind of want a higher standard of evidence that's going into the code processes that are more than is currently now. We didn't necessarily have as much of a focus on Title IX. It was more just kind of an overview. Obviously, if there are federal regulations and state regulations that dictate what kind of evidence standards have to be held when it comes to Title IX, we're not going to be challenging those on the Senate floor, but it's more kind of looking at the Code and looking at the processes that the SCCR office uses.

President Dietz: I'd also observe that we have had a change in leadership in Student Affairs and, in all fairness to L.J., he wasn't around when we did all the things last year. He may have some good eyes and I think we'd welcome that discussion as well.

Senator Kalter: And Dr. Davenport in the Dean of Students Office has also changed there.

Senator Gizzi: I think you're going to find the proposed process that the students are hoping to put forward to be a very thoughtful one. I was really, really pleased. We started conversations in May, I think, and it's not… There's no proposal to change anything at this point. There's a proposal to study, and to study not just theory but practice. And I think that's what's important.

Senator Kalter: To me, it looks like everybody's in agreement, yes, on the motion and the second? So let's consider that. My concern… There are a number of things brought up in the AAUP Report and I don't want either ones to be overshadowed. Like to talk about what the students are preparing and to not look at the Report or vice-versa. So figuring out good ways to time this. But in addition to involving shared governance and enforcement, some of the things that they mentioned are that some mandatory reporters, we have recently gone to mandatory reporting by all staff and faculty. They mentioned that that could be very problematic especially for faculty who are in certain kinds of fields where people are more likely to come to them with concerns. That's a very interesting question. We talked about making sure that the relationship with the police is intentional and involves all of the shared governance parties. I've already talked a little bit about severe or pervasive and the standard of proof, but one of the things going on with that standard of proof is that the academic due process is not legal due process. So, in legal due process you have your lawyer excluding evidence or saying this is the way that we should do this, and I think that what the concern of the report is, is probably very similar, right? That we need to raise the standard because in an academic due process kind of environment you don't have those other kinds of protections where people can make motions that protect either side. So, I guess what I'm saying, in some ways the concerns will sort of dovetail. But, as you said, you're concerned about more than just Title IX and that report is very definitely focusing on Title IX, so there are going to be some overlapping issues, but let's make sure wherever we do end up sending these two, that we have a longer conversation about all of it.

Senator Hoelscher: It's just important to note that I think the motion, and certainly my support of the motion, had more to do with having the conversation than it had to do with any particular position. And I'm very confident that if we have the conversation we'll come to a very equitable solution. I just think it's important that we have the conversation. No one gets left out.

Senator Kalter: Do we want to do anything right now with the 1.2.1 Anti-Harassment and Non-Discrimination or should we leave it all for two weeks from now?

Senator Gizzi: Unless there's a compelling reason.

Senator Kalter: Right now this is what's on our books. So just like the Student Code, this is what is posted.

Senator Hoelscher: Was the Student Code included in our packet and I'm just missing it?

Senator Laudner: First e-mail, not the second.

Senator Hoelscher: First e-mail, not the second. I don't know if I care at the moment, but I was sure hunting earlier.

Senator Kalter: You're right. Thank you, Kevin. There were two packets sent out. It sounds like we're ready to move these to the next meeting, so we'll move on.

***From Mike Gizzi: Inclusive Community Response Team Representation Email***

***From John Davenport: Inclusive Community Response Team Information Email***

Senator Kalter: The next thing is actually in a sense for the Faculty Caucus to be doing a nomination and election for, but Mike had sent an e-mail about the Inclusive Community Response Team.

Senator Gizzi: Yeah, last fall I had been named by the Caucus to serve as the faculty representative on the Inclusive Community Response Team. I attended one meeting this December and then in the spring, even though I was on sabbatical, there was only one meeting and I was in Israel at the time. I talked to John before the semester and then they scheduled all the meetings during the time I'm teaching, and we need to have faculty representation on this. It is what it is. I wasn't really happy and I was a little grumpy because I did want to be on that committee because I thought it was important that we had a faculty civil libertarian voice on that committee, but we need to appoint at least one faculty member to that and potentially even two because he was open to that. That's all. John gave the list to the ten people. I think it's essential that we have a faculty voice on there. Before I was named to it, the only closest to a faculty voice on it was Rita. She's not here anymore. So they're meeting when they're meeting and that's fine, but if we can appoint somebody either for the fall or for the whole year… That's all. It's a very simple thing.

Senator Kalter: So I went to the meeting today. You'll notice from John's e-mail that there was a meeting today. I went and I had told them that we probably wouldn't have a candidate until after the 19th so I went to that meeting. Essentially this team… The concern came up last year from about three different faculty members, including Mike, about some of these kinds of bodies around the country have been accused of sort of overstepping the bounds of free speech, or, on the other hand, not doing enough to create a good climate on campus in terms of race or gender or religion or what have you. So basically the meeting today was just setting up how everybody's going to move forward. So I think the person who ends up being seated on the committee will be able to be briefed about that by John. You see all of these people and they've got very busy schedules, so I'm sure it's hard to find the time for all of them to meet, so hopefully we'll be able to get somebody who can make it at their 1:00… Because it sounded from what he said like Mondays at 1:00 is sort of going to be the ongoing thing. They needed to establish a meeting because they hadn't been meeting regularly yet.

Senator Heylin: I just have a quick question about the committee but not necessarily the faculty representation. I just read an article from the Foundation for Freedom and Educational Rights, FIRE, and they kind of brought up issues with transparency with these sort of committees on college campuses and I was kind of wondering what transparency this community has with Academic Senate and the rest of the university.

Senator Gizzi: Well, it hasn't met really in six months.

Senator Heylin: So there's not much to transpire.

Senator Gizzi: There was very little… There was nothing.

Senator Kalter: It is not a Senate Committee. It is a Vice President of Student Affairs Committee. My sense is that because it's a little bit like the Redbird Care Team and stuff like that. There are confidentiality issues where you have somebody who's reporting something that happened in class, something that happened between that person and another student, something that happened in a residence hall, something that happened on Twitter or something that was occurring on the quad, and all of the parties – the reporting party and if there are any people who are named as this person did this – are pretty much entitled to have that looked at without being broadcast everywhere. So it's kind of like our ombudsperson or our AFEGC in that way that you wouldn't get full transparency. My sense is the committee is not… As he said, they don't make policy. They're not enforcing policy. They're there for people to come to, to talk to, to see if they can resolve the issue, work it out, and if necessary, to refer it to the appropriate body, like OEOA or other bodies that might need to work out various processes. It could be Student Discipline or, sorry, Student Conduct and Conflict Resolution. I guess they don't call it Student Discipline like they did when I was in school. That kind of thing. So that that committee really is sort of sitting there having a conversation with that party or sometimes the other parties that are named and saying, "So, what do you think happened here? What do you think you might be able to do differently, if anything?" That kind of thing.

Senator Gizzi: Everything they do is in a database. It's confidential but it's all tracked. There was a case, it doesn't matter what it's about, but a mediation. Somebody was upset with something in the community and they actually arranged a meeting with the police chief. Something like that is a good example.

Provost Krejci: So they say on their website that they "support, respond, monitor, and educate.”

Senator Gizzi: They haven't done a lot of the educating because it started strong and then just sort of faded in the spring and is coming back.

Senator Kalter: I will say, the committee itself faded, but there were incidents in the spring. There were incidents in the spring that were reported through the website, and they were resolved in one way or another. I think most of them. Or if it couldn't be resolved, it was reported, so to speak, that there wasn't any way to track this down or, you know, we acknowledge that this was reported to us but we don't know who was on the other end of it or what have you. So it wasn't that there was no activity. It was, as there was a leadership change – you guys might remember that Dwayne Sackman left and Rick Lewis left – and so there was sort of like a deck of cards shuffling and so during that I think the meetings sort of fell through the cracks, it sounded like.

Provost Krejci: There was an SGA rep…

Senator Heylin: Yes, I saw her.

Senator Kalter: Actually she was not there today but I think had e-mailed again your address.

Provost Krejci: You're still listed. You're still there 'til you're not.

Senator Kalter: Yes, that's right. You'll notice also that they got the OEOEA. They still have that.

Provost Krejci: And they don't call until it's a committee, I guess. It's a team, which is another whole interesting…

Senator Kalter: Yes. I have that written down for the faculty caucus to approve on the agenda to have a faculty member. All right. Moving on.

***09.12.16.01 From Andrew Weeks: Distinguished Professor/University Professor Recommendations (Dist. Faculty Affairs Committee)***

Senator Kalter: We have an extraordinarily interesting missive from Dr. Andy Weeks - Andrew Weeks, also known as Charles Weeks - who believes that we should either reform or abolish the ISU institution of the Distinguished Professor and University Professor. This is right now on its way towards Faculty Affairs Committee, who is about to be deeply entrenched in these questions and has much, like 36-45 pages' worth, of other stuff about Distinguished Professors and University Professors. Does anybody have any comment?

Senator Laudner: Really?

Senator Kalter: Yes.

Senator Hoelscher: Wow.

Senator Kalter: You sound surprised, Dr. Baur.

Senator Laudner: Very. I had no idea. So, this happens every year?

Senator Gizzi: No.

Senator Baur: There's a combined effort this year?

Senator Kalter: I think, if I'm remembering correctly, it was a combination of these policies being as old as the hills, so not having been updated. You know, usually we try to look at policies every five years, so one of them at least is 1981, if I remember correctly. I'm trying to remember when University Professors was.

Provost Krejci: We found it. Because I did a lot of research on it, and we found it mentioned literally back in the 70s and it disappeared and was re-instituted in, I'm going to say, 2008 or 2009 for bringing a chair in. And part of this, Andy came to talk to me about could I change the policies and I said, "This is not my policy." And part of this context is, a few years ago when I was trying to do this, I was getting some complaints from faculty saying that they felt like they keep putting their portfolio in but they don't know why and they don't understand because the University Professor says you have to be stellar or, I don't know what the word is - exceed, outstanding, some word - in one area, but the University Professors really believed that no one would get University Professor if they weren't outstanding in scholarship. So I said, that's fine but could you delineate it because the people who are applying don't know that. So I don't care what it is. I just want the practice and the policy to be aligned. And then when I looked at both policies, there were some things in the University policy about money and there weren't in the Distinguished Professor, and so there were things that hadn't been captured. And then DPs wanted the work to be done mostly at ISU. That was their belief. That was their practice. That's what they always said, but it wasn't in the policy. So, again, people were applying. They were never going to get it because the majority of the work was done here. So there were these things that… I think that was two years ago…

Senator Kalter: It was. So it was sort of a coincidence of the policies being old and on a review cycle, and Janet coming into the Provost's office…

Provost Krejci: … Implement something that I couldn't implement very well.

Senator Kalter: And the committee made a half a year's worth of progress on it and got to a pretty good point, but then, obviously this is conflicting feedback, lots of different interests. So by the time it made it to us, we either rushed this through or we put it to next year. And that seemed better so we could have more communication with the existing Distinguished Professors and existing University Professors etc. And then, last year Rules Committee got into bylaws and AFEGC and so it… This is confusing. Rules and Faculty Affairs. I think Faculty Affairs was doing other more higher priority work, so this got put to the side. Frankly, I think it was political enough that the members of the committee didn't feel like taking it back up again.

Provost Krejci: And when I met with the Faculty Affairs Committee a couple times from the beginning, they were a little… because there weren't a lot of University Professors or Distinguished Professors on Faculty Affairs. So it was harder for them. That was one of the things they said, and so then I think they brought in both the DPs at one point and the UPs at one point and then it was a proposal to combine the UP/DP policy. So there's been a lot of things going on. I just continue to worry because the policy is what people see when they're putting their portfolio together, and the practice is not always lining with the policy.

Senator Grzanich: Yeah. So I actually did serve on the Faculty Affairs Committee last year, and I remember when this came up. The main issue was the transparency, exactly what Andrew was referring to in his letter. That basically it was very gray on how people actually got into it, but at the end of all of our conversations, we kind of just pushed it aside more than anything and it looks like that is kind of coming back to bite us in the butt.

Senator Kalter: I'm not sure I would put it that way, but it is a long conversation.

Senator Grzanich: Absolutely.

Senator Kalter: And there's going to be somebody unhappy at the end of it.

Senator Gizzi: You send it to a committee. They make a recommendation to change or not change it. It goes to the Senate. We make a recommendation to change or not change it. It's like…

Provost Krejci: One of the things that we did change with the DPs recommendations, when someone would apply they would just get a letter saying, "Too bad, so sad. Why don't you apply again?" I just thought feedback for something, so we really had a good discussion with DPs and said would the DP group be willing to have two people meet with someone to say… Because they would say, "Boy if they only would've done this or they only would've done this or this", but the person wouldn't know. And so it's not on the policy, but they informally said when you send the letter out, say we'd be willing to meet with you and two people would be willing to talk to you about your portfolio. No guarantees, but at least have some support. And then the other thing was, there was a question because most of the DPs come from one college and then the discussion that other colleges may not even know how to do this or how to support people. So there is the recommendation that we may have some workshops about what this means and how you start early, not in the policy but to help some of this transparency issue.

Senator Grzanich: Exactly. Then I believe it was the DP's vote on who gets to come in, correct?

Senator Kalter: Yes, that's correct.

Senator Grzanich: So that was the issue, that there was a lot of what? From a particular college? And so it seemed like there was a little bit of camaraderie in terms of who was selected.

Senator Kalter: “Seems like” is the keyword there. I think we have to be careful, logical, right? We can't assume that there's favoritism.

Senator Grzanich: That was just an issue that was brought up during the meetings. I'd have to look at the minutes again. Review that.

Provost Krejci: I think it wasn't even a matter of favoritism but understanding another discipline's work and how do they get eyes on another discipline's work if they don't understand it?

Senator Grzanich: Absolutely.

Senator Kalter: I think the working proposal right now is for that to continue, but if there's a college that is not represented, to have somebody from that college also be in the recommending group. Then the question that both a dean and I asked is, can you flesh out how that person is put in? Because, if you think about it, it's probably not great to be a pre-tenure professor because how would they know what the distinguished record looks like? It's probably, I don't know, maybe Associate Professor, but then if you're a Full Professor you might be wanting to go up. So you don't want to politicize it that way by having the person sit on the committee who, then, is going to go up the next year and now all the people know them. So, basically the Dean of Business (who has already stepped down, Gerry McKean), and I both said, can we flesh out how exactly this person would be elected from their college just so that it's clear to everybody. So that we don't go in saying that there are going to be people from the college and it's not clear. So that's part of what… But I think everybody's in agreement on the generally principle of having representation from every college.

Senator Hoelscher: In support of the conversation and the opaqueness, this is the first time it occurred to me that you actually apply for those two designations. I assumed that it was an honor bestowed upon you and you had nothing to do with it. That we were regularly reviewed and someone would sort of rise to the top and the Distinguished Professors would then look and pick and off you go. I had no idea you applied for that.

President Dietz: It sounds like a knighting, almost. (Laughter)

Senator Hoelscher: Well, I mean, that was my perception of it.

Senator Kalter: My sense is that the DFSC usually recommends to the dean and then the dean…

Senator Hoelscher: But at some point you have to apply. Is that correct?

Senator Laudner: You have to submit a focused application towards that to make it easy for them to review rather than your entire dossier.

Senator Hoelscher: That's more what I was thinking. I was thinking that someone would come to me and say, "Congratulations. You've been nominated," but it wouldn't be something I would initiate. It would be something someone else would initiate.

Senator Laudner: But it usually is. So, like a dean nominates and then the provost sends out a letter saying you've been nominated and invited to apply.

Provost Krejci: That's for some of the other…

Senator Laudner: That's for University Professors.

Provost Krejci: Yes. And so it can be a self-nominator or it can be appointed. In Arts and Science, because they have 90% of all the DPs, they have much more systematic processes. The other colleges who may not ever have had a DP don't really know how to proceed. Andy talked to me about this, and his belief is that it should be external. It shouldn't be someone running for an award, so to speak.

Senator Hoelscher: Is it possible for us to view this correspondence as not so much a need to abolish but as a need to review and adjust so that it's more representative of what we're wanting it to be?

Senator Kalter: To be fair, every college has had a DP except for Mennonite and Milner, I think. That doesn't mean that those DPs are still here. Many of them are retired. So that, I think, is where the process in the other colleges have sort of dropped out is you have that turnover in chairs and deans. The memory of how that process works probably got dropped. But this would be one document, one letter, that gets looked at, like I said, in the midst of the other feedback that the committee is receiving.

Senator Gizzi: Is this issue already on the task list?

Senator Kalter: Yeah. In fact, as you remember I'm sort of sitting on that temporarily. So they began to talk about it a little bit last time as one of the higher priorities.

Senator Gizzi: We could send this letter to them as one more piece, not necessarily that they have to act on it, but it's just one more piece in the… is what I would do.

***09.12.16.02 EAB Presentation for Illinois State 06-07-16 Handout***

Senator Kalter: Ok. Let's move on then if there's nothing else about that. Let's move to EAB. This is on the book, this agenda, and as an advisory item to the Senate mainly because I've been getting a number of questions from faculty about EAB. So I wanted to know if it might be a good idea to send the presentation that we had here in the summer to the Full Senate for the sake of transparency and to give anybody a chance to ask questions from the floor rather than doing that in administrative remarks. Just sort of showing people what it's all about and then we'd be able to ask questions. How many people know what this is?

Senator Laudner: What kind of questions are you getting?

Senator Kalter: Things like, how much are we paying for this? How long have we been in this relationship with this group? In these budget times, they're particularly concerned that we might be paying for budget-cutting types of tools, so to speak. So I think that there's a question of, if we can't afford to keep x, y, z on our staff or faculty, how can we afford to pay for the information that we're getting. And part of that is from misinformation about what it is, and part of it is…

Senator Hoelscher: Bound to be the company.

Senator Kalter: Right. What is it? Educational Advisory…

Senator Hoelscher: I knew it was an acronym for something. I was struggling.

Senator Gizzi: This was the meeting I was supposed to go to, and I walked to campus. I got to where the meeting was supposed to be, and then I saw that it had been moved to uptown at University or something like that. Thus, I didn't make it to the thing.

Senator Kalter: So, Ann and Kevin, you've both been at these meetings, right? I had to miss the first one.

Senator Laudner: I missed that first one, but I know… I've been updated on it.

Senator Kalter: How would you describe…

Senator Haugo: My initial response is that I think that it would make this process more transparent if we would just share the information at the Senate. I think faculty is aware that decision making is going to happen, and I think that the concerns arise when they're uncertain about how the decisions will be made. And I think that the presentation will help to answer some of those questions.

Senator Gizzi: Who will answer the questions?

Senator Kalter: Probably Dr. Dietz and the Provost, most likely.

President Dietz: I would agree with you, though. My sense, there's nothing proprietary about the information.

Provost Krejci: I think it's on the Provost's website.

President Dietz: We asked them to come in and anybody that wants to question how much we spent, they can question that. But the bottom line is that we will have consultants who consult with us on a variety of things throughout the course of the year. This just happens to be on something that is probably more sensitive with a number of faculty than some other issues. But the idea, and I mentioned this at my address and then it came through on my meeting with the media after the address, that higher education in the State of Illinois is not going to be about business as usual. And that's true here and it's certainly been more true at other institutions, but we need to look at issues in a wide discussion kind of format and decide our future. So this kind of thing helps us think about that, in my estimation.

Provost Krejci: Educational Advisory Board is a company that works with about a thousand different universities across the country. They collect best practices. They have demonstration projects for things that universities will join them, so there's data shared from different universities and best practices. And this is a subscription that I think we figured out was about 20,000 dollars a year. We got that down. It was originally much higher and we negotiated it a lower price. And they usually want you to lock in for a longer period of time, and we negotiated a shorter period of time.

We said no the first few times. But given the changes in higher ed right now, it's a really nice way to be able to get access to best practices and what other people are doing. With the subscription, the visit to campus, the person who came to campus and presented, that's part of the subscription. We paid no travel costs. We paid no costs. It's part of that subscription. They also have an enormous amount of conferences that faculty and staff can go to free because of the subscription and lots of webinars – whether that's on budgeting models or international or online strategies or changes that people are facing and how they're looking at that. They're not big on totem prioritization if you went there to talk about it. You've seen what other people are doing and mention that in your question there because they have some data about what happens with that but they have some other data about how do you really focus on quality while leveraging resources. They have some ideas about how you could increase revenue for growth. They have some ideas. So it's a broad kind of perspective and they have quite a bit of intelligence, so to speak, about what's happening that we can avail ourselves of. And I think the presentation is on the Provost's website, but you can make sure it is and you can send it out. I won't be there on the 28th if you're going to bring it up then, so Cynthia knows that.

Senator Kalter: If we can have the definite numbers in terms of how much it costs.

Provost Krejci: Yeah, I was just looking for that because they just sent them to me. I was just looking to see if I could find it.

Senator Kalter: And how long we've been a member.

Provost Krejci: We've been a member since January of ‘16. Enrollment Management has been a member longer with [inaudible]. They have seven different forums. There was a Student Affairs forum. And I know L.J. doesn't use it now. I thought Brent had told me before that they had in the past, but L.J. is not doing that now. Troy has had that since he's been here with Enrollment and finds it extremely helpful for him in terms of Enrollment Management. They have seven different forums, and if you belong to one forum then you get a negotiated price for another. So I don't know if he sent me how long it's been, and I'm trying to find the cost because they just sent it. I'm not able to pull it up.

Senator Hoelscher: It's kind of unrelated, but it's related to the budget. I have a feeling that this is not unique to Illinois, that change is happening everywhere. And I get whiffs that it's happening in other state public schools. I think it would be comforting to know that this is not a direct result of our state inadequacies. I mean, we make it work because of our state inadequacies, but it makes me feel better about our ability to compete to know that this is happening everywhere.

President Dietz: Particularly Wisconsin, Louisiana, Tennessee, and Kentucky are some of the leading states right now. All of them have a budget.

Senator Hoelscher: Yeah. It makes it worse because of where we are.

President Dietz: This discussion is really going on throughout the United States.

Senator Haugo: You know, because I'm in the throes of program review right now, it strikes me that with the resources that are available through EAB, it might be useful if APC would let departments know that faculty have access to the research available on the website.

Provost Krejci: We have pushed it out to deans and chairs, but if there's another way we can… Because it's just a link. Any faculty, anybody, can go and access the webinars, their articles, their anything.

Senator Haugo: I have a feeling that until you have to go through an accreditation process or a program review, you might not reach for best practices and that the data becomes useful when you're conducting a study.

Senator Kalter: APC is Academic Planning Committee.

Senator Hoelscher: Specifically, what do we need to do here? Just put it on the agenda? And then we expect it on the Senate floor just to generate comment?

Senator Kalter: Yeah. If anybody has any questions essentially. Since the Provost will not be there on the 28th, should we ask somebody from the Provost's office? Should we keep it where it is? Should we put it on two weeks afterwards? We also want to make sure that Dr. Dietz is there, I think. Right? So it may be better to put it on early because I think David said that there was an October meeting that he would not… I'm trying to remember if it was one of these or one of those. Why don't we leave it on this agenda and if there are continuing questions we'll have the person ask two weeks later.

President Dietz: Will Jonathan be there?

Provost Krejci: I'm sure he can be. I can double check. On the 28th? Great.

President Dietz: Or he and Troy or a combination.

***From Larry Alferink,*** ***Annuitants*** ***President- Statewide: State Legislative Issues Senate Presentation Email***

Senator Kalter: Let's see. The next thing is that Larry Alferink, who some of you may remember, is now one of the people involved in the Annuitants Association. He had e-mailed me asking if he and Charlie Harris, who used to be the chair of my department, could come in to give us an update about what's going on with the pension issues. So that's also right now sitting on the proposed agenda. We'll probably get to that when we get to it.

***Proposed Agenda for the Academic Senate on September 28, 2016:***

**Academic Senate Meeting Agenda**

**Wednesday, September 28, 2016**

**7:00 P.M.**

**OLD MAIN ROOM, BONE STUDENT CENTER**

***Call to Order***

***Roll Call***

***Annuitants Association Legislative Issues (Larry Alferink,*** ***Annuitants*** ***President- Statewide, Charlie Harrism, ISUAA President)***

***Chairperson's Remarks***

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

***Administrators' Remarks***

* ***President Larry Dietz***
* ***Provost Janet Krejci***
* ***Vice President of Student Affairs***
* ***Vice President of Finance and Planning Greg Alt***

***Advisory Item:***

***09.12.16.02 EAB Presentation for Illinois State 06-07-16 Handout***

***Academic Affairs Committee: Senator Pancrazio***

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

***Faculty Affairs Committee: Senator Dyck***

***Planning and Finance Committee: Senator Marx***

***Rules Committee: Senator Horst***

***Communications***

***Adjournment***

In the interest of sort of moving through the stuff on the agenda, David Marx and Martha Horst both sent us stuff from their first night of sub-committee meetings, and actually one of their documents is kind of similar. Martha's committee is putting forward the idea of moving a faculty member from Planning and Finance Committee to Faculty Affairs Committee because Faculty Affairs has sort of traditionally had this problem of not making a quorum.

Then, the two things that David Marx's group noticed about that committee's bluebook, or that doesn't make any sense, first of all it says that a Planning and Finance Committee person sits on the APC, but then the APC charge says that the Senate chair sits on the APC. I think almost everybody is in agreement that that should stay the way it is because, for example, when the German program was under assault it was helpful that Dan Holland was also on the APC and knew the program review process. Several things had come up like that where it's helpful to have the Senate chair there and that person is anyway a member of Planning and Finance Committee. He also mentioned having the APC charge change because we haven't been doing in APC what it says we should be doing. For several years, Bruce Stoffell and I have been mentioning that to each other, can we get a time to look at that part. So, my suggestion for those two issues is that we actually take the Planning and Finance Committee proposal of eliminating the line about the member of the committee and the Faculty Affairs Committee's suggestion of moving one member from one committee to another and combine them into a single draft and put it on the floor. Does that seem okay? Then we can take the APC issue and send it to APC formally to say please look at your charge and update it and send it back to us rather, in other words, than sending it all through yet another committee. I'll get to the organizational change in a moment. What happened on our agenda is that those two got smooshed together so you'll see organizational change policy but also the stuff from the bluebook. Those are two separate issues.

Senator Gizzi: Is there a language change in here because I'm not seeing it?

Senator Kalter: There is no language change. But let's do that in a minute. Is that all right with everybody to just take those two proposals from those two different committees, combine them, put them in a single draft, and then put them as an information item on the Senate agenda rather than sending the David Marx stuff back through another committee? All right. So we'll do that. So now, the first thing from David Marx was that there is an organizational change policy. It was on the five-year review cycle. They have no changes. They are recommending no changes. This should have been in an e-mail that he sent, but it didn't get forwarded to everybody.

Senator Gizzi: I would recommend we throw that to the consent agenda. We don't need to waste time talking about a document…

Senator Hoelscher: One that doesn't have any changes.

Senator Kalter: Now, when you talk about a consent agenda, Mike, are you thinking of the kind of thing…

Senator Gizzi: We have a consent agenda where…

Senator Kalter: I was just going to ask you that. So you're not thinking about the thing where the Peoria City Council puts stuff on the consent agenda on their actual agenda for the night and pulls it off. You're thinking about the website.

Senator Gizzi: No. The consent agenda is kind of like similar to the way we do things with curriculum in that unless a member of the Senate pulls an item, it automatically is approved with no formal discussion by the Senate. There is no change here. One could say we don't even have to do that with this. We don't have to approve no change. We just say it was approved, you know. But say there was a minor change and it was like two words and they were just typographical or something, you could say this is so minor we throw this on the consent agenda and if Senator Laudner really wants to pull it, well then he could pull it and then it goes through the normal process. But it would be him. He'd be far more likely to pull it.

Provost Krejci: Put minutes on it.

Senator Gizzi: Yeah. We're doing that now. It's the same idea.

Senator Kalter: We probably will continue to do that.

Senator Gizzi: It's the same idea. But this, I don't even know if it needs to go to the consent agenda because we're not making any changes to it.

Senator Hoelscher: I don't care.

Senator Gizzi: I just don't want to waste three minutes on the floor going through information item, going through action item, the whole thing, where, is there any discussion? No.

Senator Hoelscher: At the very least, I think consent agenda, or I should say, at the very most consent agenda.

Senator Gizzi: … no revisions made. Considered by the committee, no revisions made, consent agenda.

Senator Hoelscher: Is that giving you heartburn, Susan?

Senator Kalter: No, no. I just wondered if anybody wants to play devil's advocate or if we're all on the same page, so to speak, on the same sentence.

Senator Hoelscher: I was having trouble reading your smile.

Senator Kalter: All right. So rather than putting it as an information item on the Senate agenda, we're going to take that off, post it on the website, send around an e-mail that says, "I dare Senator Laudner to take it down" and have it approved in two weeks.

Senator Gizzi: The same e-mail that when you put the next minutes on it. And maybe just add to this document, to the top, just say "this was reviewed by the committee and no revisions were made."

Senator Kalter: All agreed? All right. So great. We've gotten done with the last one and with the two from David Marx. The only other thing before the proposed agenda is that it turned out in the Faculty Affairs Committee, Cassandra Mattoon was reading out loud an e-mail that says, "Susan Kalter might need to look at this because we're changing something that's a Senate policy in the middle of the summer."

So, clearly everybody on that e-mail knew that it was supposed to come to Senate. It didn't, and so that was what I was saying before, that Dr. Krejci and I noticed that we need to firm up that process to make sure that when Senate things are changed in the middle of summer… But obviously it was an intention to put this policy through the Senate. It just has gotten to us a little bit late.

My only concern with it is I can't understand the thing. But I think that right now it's been routed. It says distributed to Faculty Associate and Faculty Affairs Committee, but I would say it came to us from the Faculty Associate on the Faculty Affairs Committee. I think this is just asking Faculty Affairs Committee to look at it. And I did just send around today the e-mail from Jeff Hill explaining that what they're doing is that they had gone through a shared governance process in the lab schools after a legislative change that they wanted to disassociate the policy from the law because that was the vote of the Faculty Associates in the lab school and this has to do with tenure for Faculty Associates. I don't know about you. I don't know if I'm the only one who can't make hide nor hair of the difference between the two years and the four years, but that seems like something that maybe we can just talk about in the committee this year. To a layperson like me, it was not clear what the difference was between those two paragraphs, but it's going to go through Faculty Affairs Committee. Anybody else have anything about that? All right. In that case, do we have a motion to approve the proposed agenda?

Senator Hoelscher: With the removal of…

Senator Kalter: Well we have to do the motion first.

Motion: By Senator Hoelscher, seconded by Senator Heylin, to approve the proposed agenda.

Senator Kalter: Let's amend it. The first amendment is to take the organizational change policy off, yes? And actually we have to take the M out of Charlie Harrism because he is Charlie Harris, not Charlie Harrism. So that's at the top. It's kind of a cool idea, isn't it?

Senator Hoelscher: Maybe he wants to be Charlie Harrism.

Senator Kalter: And we will make 9.16.16.05, we will take that and combine it with 9.16.16.01 and have that be the draft that gets sent out.

Provost Krejci: And I have not heard back from Jonathan whether he can be there on the 28th or not. He and I know more about EAB than I would say… you know, the details of it. So I just sent him an e-mail this second and I haven't heard back from him.

Senator Kalter: My sense is that questions are going to come up on the 28th anyway.

Provost Krejci: Oh. I just got it from Jonathan. "Delighted," he said. He says, "I'll have to miss the next two so this is only fair. Delighted to be there."

Senator Kalter: Terrific. Great. Do we have any other things on the agenda that we want to put on the agenda?

Senator Hoelscher: Nope. All in favor.

Senator Kalter: All right.

President Dietz: I have a couple of questions back to the Anti-Harassment and Non-Discrimination Policy and the Code of Student Conduct. We're going to be talking about that in two weeks here. Do you want me to arrange to have anybody here? Lisa Huson? Levester Johnson? John Davenport? Or is that premature?

Senator Kalter: I think it'd be better to wait on that until it goes to a particular group, like a particular committee, so that they don't have to come twice to say the same things.

Senator Dietz: Okay.

Senator Kalter: Great. All right.

The motion to approve the agenda as amended passed unanimously.

***Adjournment***