***Executive Committee Minutes***

April 17, 2017

Approved

***Call to Order***

Senate Chairperson Susan Kalter called the meeting to order.

Senator Kalter: I don't know if Mark is going to be here or not. Ann Haugo couldn't make it again because of a mix-up in childcare transportation issues.

***Oral Communications: Update from Mark Hoelscher and Martha Horst regarding the timing of the Presidential Commentary and Vice Presidential Commentary reviews***

Senator Kalter: So we're going to start just with an oral communication from Martha, and hopefully if Mark gets here he can give that one also, for the Presidential/Vice Presidential commentaries, but you kind of already got it in the e-mail sent around.

Senator Horst: So I reviewed it and I put it in the confidential cabinet in the Senate office, and they're open during the hours I gave to you, and so we will discuss it. We weren't quite sure about the Student Senators and whether or not you would still be the seated Exec members. Is that correct?

Senator Sibley: Sure. Yeah. Am I the only one? Yeah. I'm the only one, so you can relax for right now. Beau is running unopposed, so he'll be back. So pending re-election, if I get into an officer, which I will, then he'll be back.

Senator Horst: So you seek new officers before the next exec?

Senator Sibley: Yes.

Senator Grzanich: But… Actually, you're right.

Senator Horst: So we thought it might be appropriate to have the standing students Exec members review it.

Senator Kalter: It does seem more appropriate for the ones who have been here all year to read the Vice Presidential commentary. We're a little late this year because there were two switchovers. One was Mike Gizzi with Martha and one was Adam with Cera. So that sort of delayed… We usually see it at this meeting or the one before. So I think it might be more appropriate to have that. For the faculty on the Exec, we actually don't get seated until the last meeting of the year anyway, so even though you get nominated out of the Caucus, you're not actually on Exec until May whatever, 10th. But for the students there's an earlier schedule. But it does seem better.

Senator Grzanich: So actually our next Exec, May 1st, we won't have legislative executive members yet. We won't vote on that until the 3rd. So whether or not you want them to still come if they're willing to come… Two of them are graduating.

Senator Horst: I think we'd appreciate it if the people in the room minus the two non-voting members were the people that reviewed the commentary.

Senator Walsh: Sure. I can come out of my shell for one more.

Senator Kalter: You can come out of your shell? We've been waiting all year. All right. Mark will give his if he gets here. I know Cera saw him earlier today and he was pretty busy, so he might not be on his way.

***Distributed Communications:***

***04.13.17.01-From Academic Affairs: Email from Jim Pancrazio (Dist. Executive Committee)***

***04.13.17.02- From Academic Affairs: Academic Affairs Committee Minutes (Dist. Executive Committee)***

Senator Kalter: So we'll go to distributed communications. The first one is this e-mail from Jim Pancrazio and then the minutes of the Academic Affairs Committee which in those minutes is embedded a memo that he wrote and circulated and revised about potential threats to academic freedom in response to the targeted online harassment of faculty, concerns that were sent through the American Association of University Professors. So I'll just open it up for anybody who has comment on the recommendations that are being sent to us.

Provost Murphy: I like that they were asking for some clarification from Lisa about a statement, and I like a statement in the syllabi, something standardized.

Senator Horst: Is this at all related to the issues we wished our guest to discuss in the fall who was an AAUP member over at Wesleyan, Tiede?

Senator Kalter: It might have been. I'm trying to remember what his specifically was because there were so many things in January that were coming out from AAUP that I've lost track of which one was which. But it might have been. It might very well have been. Hans-Joerg Tiede. So it might have been, but I'd have to double check that because I'm not sure which one had his name on it.

Senator Horst: He's a faculty over at Wesleyan who is at the national level of the AAUP hierarchy and he works on national issues, and Susan and I recall that there were some items that we wished that he would talk about with our faculty, and it might make sense to bring him in, have them talk about these issues first if this was one of the items that he covered, and then we could talk about these suggestions.

Senator Kalter: Yeah. That makes a lot of sense.

Senator Horst: And we were talking about bringing him in in the fall just more as a guest speaker.

Senator Kalter: That makes sense. I do think, personally, that there is concern about the Code of Student Conduct. Jim Pancrazio and I talked about this over the phone and he sort of felt like, well, the classroom is obviously a private space. And I was like I'm not sure it's obvious that it's a private space. And so the fact that the Code is written in a certain way that sort of indicates private spaces means that faculty might not be covered. And then I looked at our Illinois eavesdropping law, and that doesn't seem to cover it either. It's a little bit more targeted to other types of things. So it seems like that is one of the bigger concerns is that if it's not in the syllabus, is a faculty member covered against this kind of behavior?

Provost Murphy: I think it's important to get that clarification. I really struggled with is it private or not. You know, it's not open. Classrooms, we really can control access to classrooms. Students are either enrolled in a class or they're not. You can't just go in and sit in on a class you didn't pay for and aren't enrolled in. So to some extent it kind of makes sense that they're not just open to public. But on the other hand, I could understand where that clarification and that may be just not a legal way of looking at it. I think it would be nice for our faculty to get some clarification on this and provide them with accurate information, accurate protections.

Senator Horst: Because I know, for instance, performance. If we wanted to stream a performance at the CPA, we should have everybody who's on stage. We have to have a signed consent. So it's sort of similar because you're using somebody's image, right? I know students all the time now are taking pictures of everything I write on the board, anything. They're just taking pictures of everything. So I'm sure somebody's probably videotaping me as well.

Senator Lonbom: I just want to say in our committee meeting I brought up the fact that in the library there are open classrooms and that it's not just librarians using them, but there are classes where anyone can walk through or sit down and listen. There are classrooms without walls. So we need to find a classroom in terms of any policy that…

Senator Murphy: So these are credited courses?

Senator Lonbom: Yeah. The space where you…

Provost Murphy: It's interesting. Makes you wonder what we're going to do with our auditing policy because we charge people to audit courses. We don't let just anybody sit in on a class.

Senator Walsh: Realistically, what's to stop someone from – any individual in the community or a student – to go inside the classroom and sit in on a lecture?

Provost Murphy: Well, I could call campus police if I really didn't want them there.

Senator Walsh: I suppose. But say you're in a large lecture hall. I mean, it's just kind of…

Senator Kalter: It's harder to police the larger ones. It's easy in a 30-person class to know who is supposed to be there and who's not.

Provost Murphy: I probably watch it more closely than some because I've had individuals come in and take tests that aren't theirs. You know, I teach classes of 80 and I probably watch it much closer than some.

Senator Walsh: Do you do assigned seating?

Provost Murphy: I do. I have, depending on the course and depending on whether or how quickly I can get a feel for who they are and see. But I have a lot of classes with a lot of Nursing students and so they always come. So when someone shows up and I haven't seen them, it's like hmm… I can catch them pretty quick.

President Dietz: I think it could be very educational having that person come in, the AAUP person coming in, but our legal counsel needs to weigh in on this as well to make sure that we’re, that we have their input.

Senator Kalter: I think there are intellectual property concerns as well, not just the political ones like the things that have occurred around the country. But people shouldn't be allowed to put a lecture up as though it's a podcast and then suddenly you don't have control over your faculty speech, that kind of thing.

Provost Murphy: I always think discussions, too. You know, courses where you have pretty significant discussions with your students and if students think that they're being taped and then that could go, I think that could really limit the kinds of discussions that would take place.

Senator Kalter: So should we do anything? There are four recommendations. Should we start on any of them now or should we hold until next year. So we have a circulating memo. The legal question of what if a faculty member wants the person to be table to tape like for potentially in a disability situation or just because they want to learn the lecture. I would say that third one is about instructional spaces in general, not just classrooms because there was mention about the private conversations in an office hours type of setting, and then we have labs and we have a lot of things that are not classrooms but that are instructional spaces. So that's the Student Code question. And then the Yik Yak thing, that one is about publicizing the ICRT. So are there any of these that we should push out to action at this point or should we hold them?

Senator Horst: Could you tell me about what ICRT is?

Senator Kalter: The Inclusive Community Response Team. It is a group… I'm trying to think of who's on that group.

Senator Laudner: I am.

Senator Kalter: Yes, there's faculty. There's the Dean of Students, and who else is on it?

Senator Laudner: Amelia Elkins.

Senator Kalter: So, University College.

Senator Laudner: And then General Counsel.

Senator Kalter: I think OEOA.

Senator Laudner: Yeah. And then somebody from, what's Mboka's wife?

Senator Kalter: Yes, Housing - Stacey. Are there students on it? I can't remember.

Senator Laudner: No. Well, if they are, they've never been there. But I don't think so.

Senator Horst: Could we ask legal to start drafting some legal language for syllabi and get that going so that we could present that to the faculty at some point after we have a general discussion?

Provost Murphy: If there's any homeworking kinds of things we could do this summer. You know, nothing in stone that wouldn't come to the faculty this fall, but I just wonder if there's anything. I agree, if there isn't anything we could do to kind of get started on it this summer.

Senator Kalter: And what about the Student Code stuff? Martha, are you thinking that the conversation in the fall should inform that or should somebody start drafting language for the Student Code?

Senator Horst: I'd like to turn to the students for the Student Code discussion because you have a task force going on, right?

Senator Snyder: That's something the task force could look into as well.

Senator Kalter: You think that's something that the task force should look into? Okay. Sean agrees.

Senator Grzanich: I also agree.

Senator Snyder: I mean, we're like right in the midst of switching our association so it's kind of hard for us to take on something like that right now.

Senator Kalter: So hold off on drafting anything until that committee gets constituted.

Senator Grzanich: If you get it into that committee, too, there's a lot of capable eyes looking at it to make sure that's something that the whole student body wants, or the university.

Senator Kalter: So we can kind of officially route it to them, but it won't technically go there until August or September. Okay. Anything else? So maybe what we should do it put this back on the agenda in August to be talked about so we're already reminding ourselves that we want to invite Tiede and to do some of these other items.

***\*\*Approval of Proposed Senate Agenda for 4/26/17 – See pages below\*\****

Senator Kalter: So with that out of the way, we can go to the approval of the proposed Senate agenda for the 26th and you will notice that it is a shortened one because there are no committee reports but also a different one because of the orientation and the election of the faculty. Can I have a motion to approve?

Motion: By Senator Walsh, seconded by Senator Snyder to approve the proposed Senate agenda for 4/26/17.

Senator Laudner asked if Greg Alt would be in attendance. Senator Kalter confirmed that she understood that he would be coming and that it would be his last meeting. The committee agreed to adjust the Administrator Remarks to have Dan Stephens as giving the report. Senator Kalter indicated that she had just met with both Alt and Stephens that morning, that she had not met with Alt for much of the year due to the circumstances of his departure, and that they had a good meeting about the budget and the state and where we are going.

Provost Murphy reminded the committee that she would not be able to attend. She was invited to submit anything that she needed to announce, to be read by another Senator at the meeting.

The motion to approve the proposed Senate agenda as amended was unanimously approved.

***Oral communication: List of policies on the review cycles***

Senator Kalter: So the next set of things: I was going to pass these around just so that you can see where we are. As some of you remember, we had been going through all of the policies and trying to put them on a five-year cycle and then offload the ones that are not really Senate policies, just sort of confirm with everybody, yes, these are the kinds of policies that don't need to come through the Senate because they don't fall under the Policy on Academic Policies. So I have a list of existing policies that do need to go through the Senate in other words, Exec has said yes, these are Senate policies, a list of policies that generally do not need to go through the Senate because Exec has agreed that they do not need to go through the Senate, and then a list of the policies whose Senate review status awaits Executive Committee determination. So we're pretty far down. I'll pass this around. We're pretty far through our list. We've got maybe 100 Senate policies, 150 or more that are non-Senate policies, and about 100 where we're like, well, we haven't figured it out yet. So we're sort of batting down our list. So this whole list on the Exec agenda is a continuing effort to try to keep up on a five-year review cycle, but I do think that we are, one of things that we're finding is whether a five-year review cycle is really realistic for all of our policies. So we've got a ton of policies in Faculty Affairs Committee probably because they've been dealing with really long policies like AFEGC, Integrity, and, what was the other one, IP at one point.

Senator Horst: We did AFEGC in Rules.

Senator Kalter: Oh, that's right. It was Rules. I thought that Faculty Affairs did that one. Oh, that's interesting. Okay. But in any case, a number of the committees (it's mostly Faculty Affairs, Academic Affairs, and Administrative Affairs and Budget) have sort of a pile of policies and then because Planning and Finance doesn't really do policy review, the other committees get the brunt of the workload and then Rules, of course, gets a number of those. So I think that at some point we have to figure out are these really on a five-year cycle or do we need a longer cycle? I know that Lisa Huson would like them to be on a five-year cycle because she likes to make sure that they are updated. I'm not sure that it's realistic in terms of Senate to have that happen. But in any case, let's go through these and find out if anybody has anything to say before they get routed. And you'll notice that right after, on the agenda where it says Dist. Faculty Affairs Committee, that's the suggested routing, but we can always route a policy to somewhere else.

***4.13.17.03- From Senate Chair: Policy 1.10 Code of Responsibility for Security and Confidentiality of Data (Dist. ~~Faculty Affairs Committee~~ Rules Committee)***

Senator Kalter: So the first one is 1.10 Code of Responsibility for Security and Confidentiality of Data. And it's suggesting to route that Faculty Affairs Committee. One of the things that's going on right now is that the Compliance Working Group is working on record retention issues, essentially. So one of the things about this policy is that Sam Catanzaro and Alice Maginnis in the legal office probably also need to review this policy because it has a lot of overlap with the issues that they deal with. Did anybody else see anything or do you recommend that it go to a different committee other than Faculty Affairs or that it's not a Senate policy or anything?

Senator Horst: The last data file policy that we did went through Academic Affairs, the one where the records were being kept. Wasn’t that coming through Academic Affairs, confidential academic records?

Senator Kalter: Yes. I'm trying to remember exactly what the title of that one was. You're talking about Student Records?

Senator Horst: The Student Records that we just did the other day.

Senator Kalter: Okay. Yeah, that one is an Academic Affairs one.

Provost Murphy: This one doesn't really seem like it's a Faculty Affairs, only because there are so many going there.

Senator Horst: It seems more in line with that one that we just did, and if that one went to, the confidential records one went to Academic Affairs. It seems like this one should go to Academic Affairs as well.

Senator Kalter: Jan, is that what you were thinking, or were you thinking of a different?

Provost Murphy: I wasn't really thinking. I couldn't decide Rules or Academic Affairs, but that tells you I'm not quite there yet on my understanding of the… But it doesn't seem… Yeah, I guess I'm looking at all the others that are Faculty Affairs and I think, oh yeah, that makes sense. But then I saw this one and I thought, oh, I don't know.

Senator Kalter: This one is more wide ranging. You notice that it quotes five other policies, one of which I think we should check to make sure still exists, the first one, 1.1.9 Sanctions for Unauthorized Release of Protected Health Information. So it refers to Student Records, but it's also Appropriate Use was just in Rules, Freedom of Information, which I can't remember where we routed that one or if we routed that one. There's also in the University Records part of it, I wrote down that there's nothing about student judicial records. So the Vice President for Student Affairs is not listed as a keeper of important University records, and it seems like that might be helpful to list that.

Senator Walsh: Is there no one listed for that?

Senator Kalter: Yeah. You'll notice that in that paragraph the President, the Provost, the VP of Finance and Planning and the VP of University Advancement are all listed but nothing about the Student Affairs.

President Dietz: There's a whole bunch of stuff in there about Student Health as well and there's lots of record responsibilities that division has.

Senator Kalter: In some ways, Jan, it might be good to route it to Rules given that Sam is on Rules so that would allow him to be reviewing it just once.

Senator Horst: You could tackle it with the technology policies.

Senator Kalter: So would that work for everybody to route that one to Rules?

President Dietz: You might want to put a caveat in there about the Student Affairs…

Senator Kalter: Yeah.

Senator Horst: Could you repeat that again, Susan?

Senator Kalter: So in the paragraph on the second page, it is right under the title University Records. There are a number of people mentioned. The other one is, by the way, that the Freedom of Information Officer has been Jay Groves, and I can't remember who that's going to.

President Dietz: It's going to Molly Hartrup.

Senator Kalter: Molly Hartrup, okay. So is she technically an assistant to the president or what's her title? She's something else.

President Dietz: She reports to Eric Jome. I forget her title right now.

Senator Kalter: Okay. So in that paragraph there's no mention of the VP of Student Affairs even though there are obviously student records in that area. And then just looking to make sure that all of these policies actually still exist and that they're the same number that they existed under. So we'll route that one to Rules. Sounds good.

***04.13.17.04- From Senate Chair: Policy 3.2.6 Tenure (Dist. Faculty Affairs Committee)***

Senator Kalter: Next one is the Tenure policy. Anybody have any observations about that or its routing, which is to, right now, tentatively to Faculty Affairs?

Provost Murphy: The only thing I saw was an odd sentence at the bottom of page 1, tenure previously granted to such administrators, so this is about faculty who become administrators, retain their tenure and rank, but then it says, "The tenure status of the individual shall be reviewed through the process established for periodic review." I just found that to be an odd statement. I mean, administrators are evaluated annually, but our tenure status isn't reviewed annually. And how would you do that? I mean, you're not going to review our scholarly productivity or teaching.

Senator Horst: Post-tenure review?

Provost Murphy: But what would the criteria be? You wouldn't send it back to the DFSC for a post-tenure review because we don't teach or do research. You know what I'm saying? It's just an odd statement. I think administrators need to be evaluated annually. Please don't get me wrong on that. But I think evaluating tenure status while someone is in a full-time administrative position and they have… Who is going to review my tenure status? People for whom I am making a final decision on tenure? I mean, it's an odd statement.

Senator Kalter: It’s a very odd statement.

Provost Murphy: I don't know the reason behind it, if there was, but I just found that one odd. I think there should be a review process. I'm just not sure you review the tenure status. Or maybe there was some kind of a political reason that was put in there. I don't know. But that would be one I would just ask the committee to look at and see.

Senator Kalter: It implies that tenure could be revoked, which is a little anathema to the point of getting tenure. I was thinking post-tenure review, too, but you're right that the way it's worded is much more targeted than just a post-tenure review.

Provost Murphy: And you know, you really have to be careful about saying someone's going to go through a post-tenure review while they're serving in administrative positions. You know, you can't take department chairs and evaluate their tenure status because their own DFSC can't do that because they're… You know, it's just an odd … It would put administrators in an odd position. And maybe we want the statement to be more about continued review, I don't know. I would just ask the committee to consider that. But yeah, it seems like Faculty Affairs.

Senator Kalter: Martha, you said you had some stuff.

Senator Horst: Yeah, I was just interested in this sentence that's near the end that said, "When deciding whether to recommend awarding tenure, the University and its academic units shall give major attention to the quality of individual performance…" fine, "but shall also consider other appropriate criteria including whether there is sufficient program staffing need based upon both short- and long-term considerations to warrant the addition of tenured faculty members," and I was just wondering where the AAUP stood on that.

Provost Murphy: There are institutions that do that, but that has not typically been the Illinois State way.

Senator Horst: That you would bring in somebody with the expectation that they could get tenure and then around year five you'd say, "Oh, you know, we're not really interested in Japanese literature. I think we'd just like to…"

Provost Murphy: And again, there are institutions that do that, so the AAUP may allow that, but that has not typically been Illinois State University's way ever. So that would be worth having… That's a great point and worth at least reviewing. That make sense? Yeah.

Senator Kalter: I wonder if it's in ASPT policies as well because I feel like I've run across it when we do tenuring in our department. I feel like I've run across that language and I'm not sure if it's from this policy or if it's from ASPT policy.

Senator Murphy: You know, when I interview faculty candidates, I even have that conversation because so often they're interviewing at places, like how do we compete against a Michigan State (I'm making that up) or Michigan for faculty candidates? Well, one of the things that I think is here is that collegiality because we're not competing. There aren't two faculty competing for one tenure spot. It isn't a look left and look right and one of you aren't going to be tenured here.

Senator Kalter: The only thing I had was that we need to check the numbers out of the ASPT policy to make sure that they are accurate and probably best to just delete the B.1s and just say it's Section 11 or Section 9, but I'm pretty sure that we've re-numbered after a certain section or are about to, and so it makes it hard to… I mean, we could just get rid of that and say it's outlined in the ASPT policy, period, and then you wouldn't have to come back and review that.

Senator Horst: Because it's going to change. It did change anyway.

Senator Kalter: Exactly. All right. Anything else on that one before we route it to Faculty Affairs? Okay, that one's going to Faculty Affairs.

***04.13.17.05- From Senate Chair: Policy3.4.1 Approval of Administrative/Professional Titles (~~Dist. Faculty Affairs Committee- due to Library question~~ Non-Senate policy for routing to President)***

***04.13.17.06- From Senate Chair: Policy 3.4.2 Establishing New and Refilling Existing Administrative/Professional Positions (~~Dist. Faculty Affairs Committee– due to Library question~~ Non-Senate policy for routing to President)***

***04.13.17.07- From Senate Chair: Policy 3.4.7 Employment for Teaching Purposes of Administrative/Professional Personnel (Dist. Faculty Affairs Committee)***

Senator Kalter: Next one got squinched up in the agenda, but it is 3.4.1 Approval of Administrative Professional Titles. And actually let me do that with 3.4.2 and 3.4.7. Ordinarily, we do not look at AP or civil service types of policies. Those tend to go into the non-Senate pile. One of the things that occurred – I can't remember if it was at the beginning of this year or the end of last year – the Library was looking into whether it could convert some of its non-tenure track faculty onto AP lines, and it's an interesting question. So, that's one of the reasons why I suggested that we just at least look at these to make sure that they are indeed non-Senate policies or if they should go to Faculty Affairs, especially because there are also a number of APs who teach and so should they be, in some way… And that's what that third one is, Employment for Teaching Purposes of AP Personnel. Should the faculty be reviewing that policy as opposed to the sort of nuts and bolts of approval, you know, civil service system approval of AP titles or the establishing and refilling of them? So, what do you all think about whether each or any of these is a Senate policy, a non-Senate policy, one or more, none?

Senator Lonbom: Susan, I don't know this directly, only indirectly, but I think that discussion about NTTs converting to APs, I think that's not happening anymore but I'm not really the person to ask that and you might talk to our dean about that. But I think that conversation was tabled because it was based on trying to carry over vacation, possibly. But I just don't know the details of that.

Senator Horst: 3.4.7, the one about the teaching crossover, seems relevant. And I was even wondering if it could go to AABC because just in terms of how much Faculty Affairs has on their plate. But that one seems relevant just because I thought, well, it's not just when you teach. It's not just the one hour that you're in the classroom. You also have to be accessible to students, for instance, and so you do have to think about how teaching and administrative work intersect. I think that's an appropriate thing for us to think about.

President Dietz: I don't think any of these should be above review and potential reproach, but I think if you're interested in maybe saving a little time, then 3.4.7 is probably the important one of the two because I think if you don't understand the State Civil Service system, this university is not going to change that, and the AP is a much smaller number of people and I think there would be a little crossover from a few of those over into 3.4.7 but not a ton. So if you want to save a little time, I would forego the review of the other two. It would serve an educational process, but I don't know that people would assume, then, that they could change stuff whenever they might not be able to do that.

Senator Kalter: I think, what I understand is that the descriptions of librarians who are on AP lines versus faculty lines are so close together that it's hard to tell the difference between an AP and a faculty line, and so that might be one reason to review the other two. But I think there's got to be a lot more work that gets done on the back end of that before anything happens there.

President Dietz: There was also a pressure at one time from the civil service group, state group, to eliminate a bunch of AP folks and make them civil service. The AP folks tend to be the supervisors of the civil service folks – not all the time, but frequently – and that person is no longer with the civil service group and we have a more enlightened Executive Director in my estimation, and we sat right around this table saying how can we help you when the previous director had a firestorm of problems in trying to take positions on the AP side that had been… Many had required Master's degrees and years of experience and particular service areas in particular and wanting them, then, to become a civil service which only requires that you take a test and score in the top three on the test and really some of them don't require any undergraduate degree at all. So to me it was really not serving the institution as well with making that shift, but we're completely away from that now, thankfully, having to make that argument at the state level.

Provost Murphy: Whatever group gets these, I would encourage them to contact HR early on so that they don't start to try to make corrections and then find out they've corrected things they can't. So I suppose the sooner they work through with HR, the better.

Senator Kalter: It sounds like we're saying that 3.4.7 should go to a Senate committee. What do we think about the other two?

Provost Murphy: I'm going to say 3.4.7 I would say as information to some extent. But, you know, this is really geared, part of this is guided because of the non-tenure track contract, right? I mean, the fact that APs can only teach one class has really been pushed because of the non-tenure track contract which really mandates that APs aren't out there teaching two or more classes.

Senator Kalter: It's interesting because apparently there are some APs and some civil service that are also now status non-tenure tracks.

Provost Murphy: I think because… I think we have split appointments I believe. So anyway, I think its worth, however we do, bringing in HR to have that conversation early on.

Senator Kalter: So that one seems like a Senate conversation, but what about the other two?

President Dietz: I think you could send these to the VP for Finance and Planning since that's where HR reports and that could be your review.

Senator Kalter: Yeah, so in other words, non-Senate.

Senator Dietz: Right.

Senator Kalter: Sending them to Finance and Planning but not having them ever go through the Senate.

President Dietz: Right. That's what I'd suggest.

Senator Kalter: They do need to take the ethics out of OEOA and probably a good idea to take the mention of the 2001 hiring freeze out of…

President Dietz: You mean the responsibility for the ethics program out of OEOA, but don't take the ethics out of OEOA.

Senator Kalter: Oh, thank you! Yes, take the ethics out of the title of the office.

Senator Horst: And did we decide Faculty Affairs or Administrative Affairs?

Senator Kalter: That's a good question. I would argue Faculty Affairs on those. What I would worry about with Administrative Affairs is that their head is in budgets and sort of facilities and those kinds of things as opposed to thinking about job descriptions, etc., which is the thing that would need to be worked out. So, two of the three are non-Senate and then the third one will go to Faculty Affairs. All right.

***04.13.17.08- From Senate Chair: Policy 4.1.11 Export Control (Dist. Faculty Affairs Committee)***

Senator Kalter: The next one is Export Control, which several years ago went through the Faculty Affairs Committee. A couple things to note about this one. Apparently when this went through in 2012 it accidentally did not fully get posted on the policy website, so luckily it was also posted on the export control website. So John Baur noticed at some point this year that only half the policy had been posted. It is now completely up. The other thing that I'll mention is that because of the stuff that's been going on with travel bans and that kind of thing, the faculty who have been being contacted about export control are more worried this year than I think they have been in years before about the fact that the university is tracking these kinds of travel plans. Where are you going, etc. So it's just a little bit of context about export control, that it does have morale types of ramifications or shared governance types of ramifications and part of that has to do with the difference between the policy and what the office might need to do in terms of procedures for carrying out the policy. So this one is also slated potentially to go back to Faculty Affairs because they were the ones that first reviewed it. Everybody else good with that? Excellent. All right. Let's see.

***04.13.17.09- From Senate Chair: Policy 7.1.1 Significant Financial Interest Disclosure***

***(Dist. Faculty Affairs Committee)***

Senator Kalter: The next one is Significant Financial Interest Disclosure. Currently also slated for Faculty Affairs and because this was back in 2007 you'll notice that there used to be an Academic Freedom Committee and an Ethics and Grievance Committee and now they have been combined since that time, or maybe even before that time. So that's one thing that needs to be changed. I think the University Research Council is what it's called, not a committee. Is that right? Is that a council or a committee? So I saw little bits and pieces here of things that need to be cleaned up.

President Dietz: The title probably needs to be changed as well.

Senator Kalter: Significant Interest Disclosure?

President Dietz: Significant Financial Interest, if that's the name of the policy.

Senator Kalter: That's a great idea, Larry, because when I got down to the second paragraph under Definitions, I underlined part of it and I said, "Why does the investigator include the investigator's spouse and family members?" And then I realized, of course it has to. But it was because I wasn't thinking in the financial realm anymore. So changing that title. So, everybody agree that that should go to Faculty Affairs?

President Dietz: I thought you were going to say you just lost interest in the policy as you were reading it so you added the financial piece in to keep your interest up.

Senator Kalter: Oh, you know that's interesting that it is financial on the agenda but not on the title. Okay, interesting. That's an easy change through Vickie, I think. I think she can just insert that. All right.

***04.13.17.10- From Senate Chair: Policy 1.1 Equal Opportunity/ Non-Discrimination Statement and Policy (~~Dist. Rules Committee~~ Non-Senate policy for routing to President)***

***04.13.17.11- From Senate Chair: Policy 1.2 Anti-Harassment and Non-Discrimination Policy (~~Dist. Rules Committee~~ Non-Senate policy for routing to President)***

***04.13.17.12- From Senate Chair: Policy 1.2.1 Anti-Harassment & Non-Discrimination Policy Complaint Procedures (~~Dist. Rules Committee~~ Non-Senate policy for routing to President)***

***04.13.17.13- From Senate Chair: Policy 2.1.18 Sexual Assault/Abuse (Now Policy 1.2) (~~Dist. Rules Committee~~ Non-Senate policy for routing to President)***

Senator Kalter: The next ones should look a little bit familiar because we just had one of these go through on the pseudo consent agenda that we did really quickly one night in Senate. 1.1, which is the Equal Opportunity and Non-Discrimination Statement, we put that through this year because it had a name change and needed to go through. But the question on this one, also, is should this be one that the Senate reviews? And same with the ones on Anti-Harassment and Non-Discrimination. And if so, right now they are sort of suggested if we want to review them to go to Rules Committee.

President Dietz: I think this is pretty much boiler plate language. It's legal language.

Provost Murphy: And I think they update it a lot. I do think it's one that… Well, I say that. What year did they update it? Oh, yeah, I feel better - July 2016.

Senator Kalter: One is 2012; one is 2016. The only thing that I wondered is whether it is helpful to go through Senate to publicize them. But I'm not sure that that's enough of a reason.

Senator Horst: We are doing the Consensual Relations policy, which is (inaudible), but it has more of an academic… But there is some language in here about that. Harassment is mentioned in here. So if it was appropriate for us to do the sexual relations policy, then wouldn't it be appropriate for us to do this policy, 1.2?

Senator Kalter: 1.2 but not 1.1 or both?

Senator Horst: I mean, 1.1, that's, like he said, legal language.

Senator Kalter: Larry, is this all legal language? Isn't some of it our choice?

President Dietz: I don't think so.

Senator Kalter: So, every single piece of it is something that either the state or the federal government…

President Dietz: I think 1.2, there's a little more our choice in that, but in terms of protected classes, that's not. The other thing you might want to think about is, rather than going through the committee structures, is to invite Tony in to talk about both of these and we'll see whether or not there's interest beyond… That might save you a lot of time.

Senator Kalter: Tony is the other one I met with today, and I've been meeting with him about once a month since he came, so I sort of alerted him to here are some of the policies that either go through Senate or that affect faculty and students in some way. So this is kind of on his radar. I think for the Anti-Harassment one, this is one of the ones that was changed over the summer with the Student Code and we were about to put that one through the whole Senate for confirmation when Lisa Huson said, "Why don't you wait until Tony Walesby gets back, takes a look at the policy, and then we can send it through?" So he has talked to me about these, but the real question is, are they academic area policies, either one of them, and should we spend Senate time on either one of them?

President Dietz: Again, I think you could invite him into a Senate meeting and have him talk about these and explain as an information item. I'm not sure I would put it through a committee.

Senator Kalter: Rather than putting it… In other words, that's the way to… If you wanted the information to be spread more widely.

President Dietz: Right. People made more aware. The other thing with this, Tony and I just talked, and I'm not sure the specifics of this will be in, some programming that he's going to be doing, but he's going to be expanding the programming coming out of that office. Heretofore it has not been in office, has done a lot of awareness kind of programming. So he and I talked about that, and I would expect that there's going to be programs around us and materials, resources associated with that programming that will really hit the ground more in the fall, but he's a very competent fellow and I think can talk people through this. But the awareness piece, I think, is particularly important on this 1.2.

Senator Horst: But you know, Susan, I was really hesitant to work on the Consensual Relations policy this year because I knew the first thing we need to do is to contact legal. And in a way, discussing this policy brings to the fore that there are so many legal considerations behind what language you include when you're talking about these kinds of issues. Would we almost want to consider moving that one over to legal although it was originally crafted…

Senator Kalter: Tony's office more likely because he can work with Legal.

Senator Horst: It was originally crafted by the Senate, I believe. I think my husband wrote it.

Senator Kalter: Before my time.

Senator Horst: But when you get into these kinds of issues, you have to know a lot of legal terms and legal…

Senator Dietz: Rules changed since Lane..

Senator Horst: Yeah, and that wasn't that long ago. So I guess I'm saying if that one policy sticks with Rules, it would make sense that this also might go through Rules. On the other hand, we might even consider just moving everything out of the Senate, the Consensual Relations Policy.

Senator Kalter: I think what you'd need to do is have Rules Committee agree, Rules Committee make a recommendation that the Consensual Relations one should not be a Senate policy and then we could consider that because we would want to actually read through it to see whether we agree with that or not. But that would be sort of the process for doing that.

Senator Horst: Okay.

Senator Kalter: I do know that Consensual Relations Policy was highly controversial when it was first voted on. So are we deciding essentially that both 1.1 and 1.2 should not go through the Senate?

Senator Lonbom: I support what President Dietz is recommending.

Senator Kalter: The only things that I saw, and I'm just going to say this so that I can remember to tell them, there is duplication in the policy of 1.1 versus 1.1.2, but it's not verbatim duplication. Like, Ashley Fritz's name is in one of the documents and not the other and for some reason the procedure is halfway duplicated in the policy itself, so there are some clean-up things. And there are some things that maybe they're still in there because we didn't put this all the way through Senate, like an incomplete sentence and some very highly repetitive language that maybe they might want to look at. So I'm just going to put that on the record so I remember to send those minutes to him while he's looking at those. And by the way, the other thing is 2.1.18 is called the Sexual Assault/Abuse Policy, but all it does is to refer people to the Anti-Harassment Policy. So for whatever reason they want to have one in the student section or wanted at one point to have a policy in the student section, but it looks like that's been consolidated so they may need to look at that relationship. All right. So, great. We have a bunch of non-Senate policies and actually that's the end of the meeting. And we don’t have Mark Hoelscher here so we can’t adjourn. What’d you say, Larry?

President Dietz: Oh sure, we can.

Senator Kalter: And we will.

***Adjournment***

Motion: By Senator Laudner, seconded by Senator Grzanich, to adjourn. The motion was unanimously approved.