**Faculty Caucus Executive Committee Agenda**

**Monday, January 13, 2025**

**Immediately following the Executive Committee Meeting**

***Call to Order***

Chairperson Horst called the meeting to order.

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

None.

***Oral Communication:***

Chairperson Horst: I received a note from Craig Gatto hoping that the salary report would be done in February. Shall we postpone it from this meeting and move it till later? (nods in affirmative).

***Faculty Caucus and Faculty Caucus Exec schedule adjustment***

[***Link to modified FC Exec schedule***](https://illinoisstateuniversity.sharepoint.com/%3Ax%3A/r/sites/AcademicSenate/Academic%20Senate%20Sharepoint/SUB%20-%20Faculty%20Caucus%20Executive%20Committee/2025.01.13/Linked%20Documents/Modified%20FC%20Executive%20Calendar%2024-25.xlsx?d=w83e3b0abaf13466eb88110a281673eac&csf=1&web=1&e=6ZfdZB)

[***Link to modified FC schedule***](https://illinoisstateuniversity.sharepoint.com/%3Ax%3A/r/sites/AcademicSenate/Academic%20Senate%20Sharepoint/SUB%20-%20Faculty%20Caucus%20Executive%20Committee/2025.01.13/Linked%20Documents/Modified%20FC%20Calendar%2024-25.xlsx?d=w7809d1cbb06745daa696b70e57983291&csf=1&web=1&e=uClPIg)

Chairperson Horst: We decided to have the Faculty Caucus look at the changed schedule. I think we need to have a full slate of Faculty Caucus meeting times to choose from. Last year we were having all these Faculty Caucus Execs, and then all we would do is cancel the meeting because we had no items. I thought that was kind of silly, so I tried to cancel some of them. Now we might have an ASPT item, so that is why we prepared this.

***Distributed Communication:***

***Senate Action Requests***

***URC Requested changes to ASPT***

[***Link to Markup***](https://illinoisstateuniversity.sharepoint.com/%3Aw%3A/r/sites/AcademicSenate/Academic%20Senate%20Sharepoint/SUB%20-%20Faculty%20Caucus%20Executive%20Committee/2025.01.13/Linked%20Documents/ASPT/URC%20ASPT%20Revisions%202024%20December_Negative%20Provost%20Recommendation%20Appeal.docx?d=w4a9ec940430b4deda92ee371e7e59eeb&csf=1&web=1&e=bJwMnk)

[***Note from URC***](https://illinoisstateuniversity.sharepoint.com/%3Aw%3A/r/sites/AcademicSenate/Academic%20Senate%20Sharepoint/SUB%20-%20Faculty%20Caucus%20Executive%20Committee/2025.01.13/Linked%20Documents/ASPT/Notes.docx?d=w7947b683461c47f0ad9c19fee1bf63cc&csf=1&web=1&e=KIgzWd)

Chairperson Horst: It turns out that there used to be an appeal after the provost’s decision, and the Senate from 2005 undid it because of the advice of the Board of Trustees lawyer. I sent a note to Jeannie to find out what case law they were talking about. I thought there was going to be no problem with this, and now it turns out that we would be undoing some of the work from before. I have a lot of the minutes and I have the memo from the URC from 2005 as to why they requested that this appeal be deleted. I can have Kevin xerox that, it is in hardcopy form and put it in the file. I think we have to figure out this legal issue that Provost Presley brought up.

I told Chad Buckley that it says, “option to review by FRC a negative recommendation.” They would have to redo this graph somehow. Before we send this to the Faculty Affairs Committee, are there any comments from this group?

Senator Kapoor: I assume there is a whole history here that I am not familiar with, but does moving things that late in an academic year make it harder to do this?

Chairperson Horst: We are adding a potential appeal after the provost makes a decision.

Senator Kapoor: I misunderstood.

Chairperson Horst: If there is an original appeal because of a DSFC or CFSC decision, that is the first chance to go to the FRC. They are proposing to add an additional appeal after the provost’s decision on March 21. That is the exact thing that the 2005 Senate took out.

Senator Nikolaou: Do you remember if in 2005 was it a general appeal to the provost’s decision? If the DFSC said yes, the CFSC said no, and the provost also said no, could they appeal the provost’s decision in that case? Or is it similar to where they say that only if the DFSC and CFSC said yes, and the provost said no, only then can you appeal the provost’s decision?

Chairperson Horst: I don’t know it in that much detail. I would say that having the appeal, the problematic part for Provost Presley in 2005 was that you are having an administrator report to the FRC, and they were contending that an administrator cannot say anything negative about an employee’s performance because it would be considered slander. That is what the Board of Trustees’ lawyer told Provost Presley. Whether or not that is still the case, I don’t know.

Senator Nikolaou: Let’s say we had a case where I was yes, yes, no. DFSC and CFSC says yes, the provost said no. Would that faculty member be able to write a letter to the President to say whatever they wanted for the provost’s decision? It doesn’t have to be a formal appeal; either way they are going to the President for the final determination.

Chairperson Horst: The question for me is whether or not you can get any information from the provost as to why they made their decision. Can the FRC get any information? In 2005, they said no because it is a personnel matter. You can’t ask the provost to supply material. You can’t even get them to comment on it. That is why they took out the late appeal after the provost.

Senator Kapoor: Even within the confines of the FRC? It is not protected in that space?

Chairperson Horst: This is why you would have to meet with Jeannie. There was language about supplying material. “The faculty member may request appropriate information regarding the case.” Would the Provost be able to supply anything?

Senator Kapoor: Do you have any input here on the positives and negatives from your perspective? What is the benefit of being able to appeal the decision if there is one?

Provost Yazedjian: I think this is a decision that may have been prompted by recent history, so I don’t feel like I can say.

Chairperson Horst: I have the minutes, I just read them this afternoon. Provost Presley said he would like to have all the information, including the shared governance body, in front of him when he makes a decision. He also said it was highly unusual, at least in 2005, to have that kind of structure (with an appeal after the Provost). They did some study where they looked at a lot of data and we were one of the only universities that did it that way. I can share all of this information, but I didn’t know about this until 12:30 this afternoon. It is something to consider. I am trying to get a meeting with Jeannie, Craig, and myself to sort out what the lawyer from the Board of Trustees might have been signaling to Presley. It does make sense to me that it would be very awkward to have a Provost make any sort of statement as to why they made that decision. It is potentially legally fraught.

Senator Nikolaou: The president, in the end, is going to decide based on the information if they approve it or not.

Chairperson Horst: This is now the administrative phase. That is another thing that Presley said. You go from the shared governance phase to the administrative phase. They really thought there should be a wall between them and not have this additional appeal. The Provost and the President are a group of people who are making the administrative decision together.

Senator Nikolaou: Initially, when I saw the proposal, I thought it was innocent. The DFSC and the CFSC have faculty. Faculty review other faculty, that is why it is going to the Faculty Review Committee. We have recommendations from faculty-focused committees and then it moves to the administrator side. It seems weird that we would have a Provost decision being reviewed by the Faculty Review Committee. In the same sense, what if we had positive, positive, positive, and then the President said no. How is that different from the provost saying no?

Senator Bonnell: I was part of the URC that looked at the sanctions, suspensions, and dismissals. It seems like that should have been part of what we did. I know that is not helpful here, but if that is something that happened in 2005, that probably should have been taken into account with those other three pieces, but I don’t have a memory of that.

Chairperson Horst: You are saying documenting why these changes occur? Now we are storing things by item and policy in the Senate Repository. Instead of it all being in the minutes, we actually have, “Credit Hour Policy” and you can go there and see the changes. Potentially we could make one for ASPT because it is so important.

Senator Edward: I am hung up on the slander thing. It seems like it is the choice of the slandered person to allow it to go the FRC. Then it can’t be slander.

Chairperson Horst: If the Provost says, “They were a horrible employee, and their research record is unsatisfactory,” and say why they think they shouldn’t get tenure, then I don’t know. I’m not lawyer, but that is why I have a meeting with Jeannie. I would ask about why they have calendar days in “H” as opposed to business days. In 5 it says, “The Provost and President shall consider this recommendation in making a decision. This is the FRC recommendation.” I think that language needs to change.

Senator Nikolaou: That would be relevant if it is the DFSC or CFSC appeal. If it was an appeal to the provost, then the provost cannot consider their accommodation. They need to be separate.

Chairperson Horst: That needs to be changed. The reason we set up the Faculty Affairs Committee is so that we don’t do this in front of the Faculty Caucus. We should consider the URC proposal fully, but we do want to sort out this legal stuff.

Senator Kapoor: Who made these edits? It doesn’t have an ID.

Chairperson Horst: This is the URC. Under the AFEGC stuff, “April 30, the FRC must complete its review of negative Provost Promotion and Tenure appeals and report to the President, candidates, DFSC, FSFC, CFSC, and Provost unless an interim report is appropriate under the provisions.” I don’t know what the interim report was talking about. If you could flesh out what they meant by “interim report.” In Appendix 4, it says the Board of Trustees gives the power of tenure to the President. Do we want to maintain this arrow to the Board of Trustees? It looks like the decision is appealable to the Board of Trustees.

Provost Yazedjian: Don’t they still vote on it? Isn’t it on their consent agenda or an information item? It is in a report that goes to the Board, but maybe they don’t vote on it.

Chairperson Horst: It says under the Governing Documents, “The delegation of authority to the President to make final determinations with regard to promotions, tenure, and sabbaticals.” My concern is that somebody would not get tenure and then try to appeal to the Board of Trustees and say, “Here it is on the graph.” I will try to touch base with Katie on that one. I hope your committee can start working on this, at least starting conversations. You should invite Chad Buckley because it is a little bit different. It is sort of like working on college bylaws. We are in negotiations with the URC and the Faculty Caucus has ultimate say about what the language is that is ultimately approved by the President. We don’t just say, “Thank you URC” and then ignore them.

Senator Kapoor: So anytime that this is on the agenda for the FAC, I should have one of those people in the room?

Chairperson Horst: You should have Chad Buckley there and Craig Gatto. When it goes in front of the Faculty Caucus, we always have representatives from the URC there. They present it to us. This isn’t that much, thankfully. I have a document with formal language that says how this process is supposed to work. The Faculty Caucus used to function like the Faculty Affairs Committee. We were the ones that did the letter, and anything that the Faculty Caucus brought up, we were the ones trying to figure it out. Your committee will be working behind the scenes with the URC to address any issues that come up. This isn’t that big. When we have a big ASPT change, it is a whole deal.

Senator Nikolaou: I assume we have no idea if this is something the union is discussing?

Chairperson Horst: I have no idea either. If the union discusses the ASPT items, I guess at some point they would vote on a contract and then the ASPT would have to change. I think Dennis Weedman said we vote on things and then they can bargain on it or choose not to bargain on it.

***\*\*Approval of proposed Faculty Caucus Agendas- See below\*\****

Motion by Senator Bonnell.

Second by Senator Kapoor.

Unanimous approval.

***Adjournment***

***Proposed* Faculty Caucus Meeting Agenda**

**Wednesday, January 22, 2025**

**Immediately Following the Academic Senate Meeting**

***Call to Order***

***Roll call***

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

***Approval of the minutes of*** [***12-11-2024***](https://illinoisstateuniversity.sharepoint.com/%3Aw%3A/r/sites/AcademicSenate/Academic%20Senate%20Sharepoint/SUB%20-%20Faculty%20Caucus/Faculty%20Caucus%20Packets%2024-25/2025.01.22/Linked%20Items/mch-Minutes%20-%20Faculty%20Caucus%202024.12.11.docx?d=w8b46b38473c8454cbf343a5e4768268a&csf=1&web=1&e=ACYMD8)

***Presentation:***

***Faculty Caucus and Faculty Caucus Exec schedule adjustment***

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***Potential Elections for other External and Associated Committees***

***Election of 1 Faculty Member to Academic Planning Committee***

* ***Dr. Susie Watkins, Associate Professor, MCN 24-25 (replacing Erin Reitz 23-25)***

***Adjournment***