

ACADEMIC SENATE MINUTES
Wednesday, February 4, 2004
(Approved)

Volume XXXV,

No. 8

Call to Order

Chairperson Lane Crothers called the meeting to order at 7:00 p.m.

Roll Call

Senator Borg called the roll and declared a quorum.

Approval of Minutes of January 21, 2004

Motion XXXV-56: By Senator Fowles, seconded by Senator Roberson, to approve the Academic Senate minutes of January 21, 2004. The minutes were unanimously approved.

Chairperson's Remarks:

Senator Crothers: The first of the presidential candidates has been on campus. I attended an event in which the senators met with the candidate. There were not as many of you there as I had hoped. It was an opportunity to have a very casual conversation with the candidate and to socialize any potential candidates into life on this campus from a shared governance perspective. There are many formats in which people will have the opportunity to interact with the presidential candidates; it would be immensely valuable for you to attend one of those functions.

Student Government Association President/Student Body President's Remarks:

Senator Meister: On Monday, the Student Government Association held a student forum regarding student fees. A special thanks goes out to Dr. Mamarchev. Brent Paterson made a presentation on "The Color of Money" and Larry Lyons, Associate Director of Athletics, also contributed to the discussion on student fees. The panel provided students with a better understanding of the allocation process for student fees. Students are sometimes frustrated about increases in fees and tuition, but I think that the University, as a whole, has been a good steward of the money that it receives. A special thanks also goes out to Senator Foster, because she, along with Senator Koutsky, actually set up the forum.

Senator Foster: The panel was very informative. Both Dr. Patterson and Larry Lyons did a fantastic job of answering questions from students. However, not counting the SGA members and the Vidette reporter, only six students attended the forum, which was really quite troubling. Students are far more informed about things that they can and can't change about their student fees. It is nice to be at a place where the administration provides this information to students.

Senator Meister: Currently, there are 48 students participating in the volunteer project at Milner Library allowing the library to extend its hours of operation. SGA continues to solicit volunteers for the project. Student government elections are rapidly approaching. Senator Tolchin can update us on that.

Senator Tolchin: The Student Elections Committee will hold its first meeting on Friday, February 6, to set election dates as well as dates for individuals to apply for consideration to campaign.

Senator Meister: The SGA is embarking on establishing a Student Foundation Board with the chief goal of

inspiring a philanthropic attitude among students. Our second goal, of course, is to raise as much money as we can from students. ISU's Foundation Board will meet this weekend and will vote on the proposal to establish a Student Board.

Senator Op De Beeck: Is it correct that students can go to SGA to register to vote?

Senator Meister: Absolutely. Shane Cunningham and Senator Chinderle are Deputy Registrars. Any student can come into the Student Government office to register to vote as well as at tables on the quad.

Senator Op De Beeck: I recommend that you consider a mass e-mail encouraging students to register and to vote.

Senator Meister: We will consider that.

Senator Koutsky: The most worthwhile outcome of the student fees forum was that the speakers recommended that we place the presentation, "The Color of Money", on the SGA web site to make it more readily available to students. I recommend that if anyone has questions about where the money goes for student fees that they visit the site. The deadline to register to vote in the primary is February 17.

President's Remarks: Excused Absence

Provost's Remarks:

Provost Presley: The official spring 2004 enrollment is 19,587, a net decrease of 666 students. That represents a 3.2% decrease from last year's enrollment. Graduate student enrollment decreased by 410 students, which occurred mainly in the area of students at large or non-degree seeking students. It is an anomaly caused by several large grants ending, many of which were teacher education development grants. The number of doctoral students enrolled is 387, which is the highest it has ever been. The College of Arts and Sciences Dean Search Committee will be sending a memo out to all faculty and staff in CAS informing them of the status of the ongoing search and also notifying them about the web site where they will find the advertisement and primarily qualifications for the position. The search committee has a very detailed timeline, which would involve campus interviews in very late March to mid-April and a recommendation being made to my office on or about April 22. ISU has been approved for membership in the American Association of Colleges and Universities. The primary purpose of this organization is to advocate and help develop the state of liberal arts education at American colleges and universities.

Vice President of Student Affairs' Remarks:

Senator Mamarchev: "The Color of Money", presented at the student forum on student fees, is also available on the Vice President for Student Affairs web site. We have been involved in several events connected with our Institute for Leadership Development activities. During the Dr. Martin Luther King weekend, approximately 50 students traveled to Memphis to learn in depth about the history of the civil rights movement. We also had several students invited to the National Black Student Leader Conference held on the campus of Texas A & M University. They had a wonderful experience. We have received permission from President Bowman to conduct a search for the Director of Campus Dining Services. I will provide the dates and locations of the public forums for the candidates, which will probably be held in late March/early April.

Vice President of Finance and Planning's Remarks:

Senator Bragg: Yesterday, the Illinois Board of Higher Education approved its FY05 budget recommendations for higher education. This is the first step in the process. Those recommendations are

transmitted to the governor and to the General Assembly. The governor will then announce his recommendations in his budget address on February 18. The General Assembly will consider them as they debate the appropriations bill this spring, culminating in a final appropriation to the University, hopefully, in May. The IBHE has proposed cutting \$80 million out of the higher education budget from the current year's appropriation; however, none of that is from public universities. They are recommending that we have essentially the same appropriation in 2005 that we had in 2004. Almost half of the \$80 million reduction is allocated to the State University's Retirement System (SURS). That is a number that is statutorily driven that will get SURS up to full funding by 2045. There are very significant reductions in allocations to community colleges, the Illinois Student Assistance Commission (ISAC) and economic and grant development programs administered by the IBHE and a significant increase to the Illinois Mathematics and Science Academy. None of the ISAC reductions are targeted for the monetary award program. That program is recommended for level funding. On the priority list that the IBHE compiled for capital appropriations, the IBHE is recommending \$341 million in new capital spending. ISU is recommended for \$2 million for our power plant and utility distribution system; however, we are last on the list. There is some sentiment that we have been more than fortunate in the capital appropriations that we received this year; in fact, we were the only university to receive capital appropriations. \$2 million was also recommended for capital renewal projects at ISU.

Senator Meister: How many capital projects have priority over a new student recreation building.

Senator Bragg: Only Williams Hall renovations are on the list before that project.

Senator Koutsky: What is the timetable to begin the recreation project?

Senator Bragg: There is no set timetable; capital funding is very volatile.

Senator Crothers: I want to express the Senate's profound appreciation to Senator Bragg and the entire administration for their openness with this kind of information. We are very fortunate to have this kind of transparency.

Committee Reports:

Academic Affairs Committee

Senator Armstrong: Academic Affairs discussed the General Education goals. We are going to form an ad hoc committee to review the procedures for addressing academic dishonesty and consider the problems there have been in terms of disciplinary actions. We will have representation from the Student Affairs Office on this committee and we are looking for additional faculty members and students who are interested in serving on the committee as well.

Administrative Affairs and Budget Committee

Senator Hampton: The Administrative Affairs and Budget Committee received no negative feedback concerning the proposed Academic Calendar for 2008-2009; therefore, the committee recommended no revisions to the calendar, bearing in mind that if negative things surface in the future, for example, in regards to the weeklong Thanksgiving Break, changes to the calendar could be made at that time. The committee discussed the tailgating procedures contained in proposed Alcohol Policy. Student members are in some agreement about wanting to extend the time permitted for tailgating activities, if not throughout the entire game, perhaps until the third quarter of the game. For revisions, we would have to go back to the individuals who formulated those procedures, namely the Athletic Department, Police Department and Parking Services. Representatives from those departments will be meeting again this year for review of the procedures and we will ask them to consider revisions. All other questions concerning the Alcohol Policy have been addressed

and suitably answered. The Administrator Selection (Search Committee) Policy has been revised by our committee and we expect to see that on the agenda for the next Senate meeting.

Senator Foster: Not all students agreed that the tailgating policy needs to be extended.

Senator Crothers: It is my opinion that because the tailgating policy resides in Athletics, Police and Parking, it is not within the purview of the Senate to revise. In my opinion, we can bring the Alcohol Policy forward with the current language and those who want to pursue such revisions can address their concerns to Athletics and others. We can certainly suggest to them that they consider our recommendations, but we don't have the authority to change it.

Senator Meister: I asked at a prior Senate meeting if the Alcohol Policy placed more liability for student infractions during an event upon the group's faculty advisor. Has that been addressed?

Senator Hampton: Yes.

Senator Crothers: We will discuss that issue when the Alcohol Policy comes back to the Senate as an action item.

Faculty Affairs Committee

Senator Wylie: The Faculty Affairs Committee will soon have recommendations on the instillation of a faculty ombudsman. The committee was charged with the review of the Faculty Productivity Report from the IBHE Faculty Advisory Committee. Faculty Affairs would welcome suggestions concerning the direction in which it should proceed. The committee continues to gather information on faculty retention and recruitment.

Planning and Finance Committee

Senator Crothers: The committee passed a revision to the guidelines for new program approval that would provide more explicit budget information about a proposed program. That will be forwarded to the Executive Committee for consideration.

Rules Committee

Senator Coliz: The Rules Committee will meet with Mark Walbert, Associate Vice President of Technology, and/or a representative from Technology to review the new Mass Communications (Mass E-Mail) Policy. There is great concern among committee members about the free speech implications of that policy. The committee affirmed its approval of the draft of the Consensual Relations Policy that you have before you this evening. The Rules Committee approved revisions to Article II of the Senate Bylaws. The committee has further discussed, but is not yet ready to bring forward to the Senate, the revised structure for the Academic Planning Committee. There is significant debate over the one and two-year term issue. The committee needs to finish the work begun last year on the Code of Ethics. We hope to bring a revised Code to the Senate after spring break. We also voted to send back as unapproved the April 2002 Student Government Association Resolution recommending that internal committee student members serve as vice chairpersons of each internal committee.

Presentation:

Capital Campaign Update (Vice President Susan Kern, University Advancement)

Dr. Kern: "Redefining Normal", ISU's first capital campaign ever, is now at the end of the fourth year of a five-year campaign. As of today, the campaign has raised over \$77 million toward our \$88 million goal. This year alone, 17,000 individuals have made donations. Over the past four years, the University has received at

least 14 million-dollar-or-more gifts, all of which were from alumni. An important part of the campaign is the “family” portion, which is that part of the campaign in which faculty, staff and students participate in private giving. Right now, we have 815 donors from among the faculty and staff; that represents about a 16.8% participation rate and an excess of \$5 million. We do appreciate the volunteer hours that many members of the campus community have invested in “Redefining Normal”, but we do want to increase the rate of participation for giving. Success in this area is a story that will positively influence donors outside of the campus community. The Annual Fund is probably the part of the campaign that is most important to the academic departments. The Annual Fund is that part of the donations that come in this year that are available for spending by departments next year. The campaign has added \$27 million to the endowment, creating 123 new scholarships and endowing four chairpersons and one professorship. We have added \$15 million to enhancing our campus experience. We have added \$5 million to areas of excellence, such as Special Education, the Entrepreneurship Center, Leadership Institute and employee childcare center. Another \$30 million has gone directly into scholarships and for ongoing support of our colleges and departments. We certainly endorse the goal of the Student Government Association to create a Student Foundation Board to instill in students the importance of a philanthropic culture.

Senator Fazel: What is the status of the employee daycare center?

Senator Crothers: As I understand, we have not yet raised enough money to start the center.

Senator Borg: In the document you distributed, there is a reference to the “Sarbanes-Oxley Act”. What is that act?

Dr. Kern: Sarbanes-Oxley contains legislation that affects board appointments and the ethical responsibilities of governing boards of publicly traded companies. It does not affect the ISU Foundation, but we want to monitor it as it has worked well in the public sector.

Senator Tolchin: How will the “No Call List” affect the campaign’s telefund activities?

Dr. Kern: Fortunately, that piece of legislation does not affect educational institution fundraising.

Senator Crothers: Again, we need to appreciate the open communication models we have built. As we go through another set of leadership changes, we will need to remind whoever becomes President that this is the norm on this campus.

Information Items:

10.10.03.02 Council for Teacher Education Bylaws – Revised (Academic Affairs Committee)

Senator Armstrong: The revision to the Council for Teacher Education Bylaws is not a change in policy, but simply clarifies the practice for the way in which CTE currently handles student appeals. The additional revisions that the Academic Affairs Committee made were approved by the Council for Teacher Education.

Motion XXXV-57: By Senator Armstrong, seconded by Senator Meister, to move the bylaws revisions to action. The motion was unanimously approved.

Motion XXXV-58: By Senator Armstrong to approve the CTE Bylaws revisions. The motion was unanimously approved.

02.02.04.01 Consensual Relations Policy – Revised (Rules Committee)

02.02.04.01A Code of Ethics Revision - Excerpt Regarding Consensual Relations (Rules Committee)

Senator Crothers: The Consensual Relations Policy was drafted by the Provost Advisory Council. It was then sent out to the four governance groups on campus, the Civil Service Council, Administrative/Professional Council, Student Government Association and Academic Senate. The leaders of the other governance groups agreed that once they had approved it within their councils, it would then come to the Senate for fuller consideration and discussion. The AP Council, Civil Service Council and Student Government Association did all sign off on the Consensual Relations Policy. Therefore, in my opinion, it is not within the purview of the Senate to change the language of the Consensual Relations Policy on its own. If we wish to dramatically change the language, since the policy affects those groups, we would have to go back to them for approval. The major change to the policy is the explicit exemption of faculty from the policy and the inclusion of language regarding consensual relations in the Faculty Ethics Code.

Senator Coliz: The Rules Committee has aggressively worked on this policy for several years and this is the culmination of that effort. Both the original document that the Civil Service and AP Councils approved, as well as this revised version, were reviewed by legal counsel. We also consulted with the Provost to try to alleviate any concerns he had. We recognized that the University had some legitimate legal and ethical concerns and we wanted to adequately address those. We also wanted to address the concerns expressed by faculty and students about the policy while maintaining the ethical and legal position the University needs to find itself in once these documents are approved.

The Rules Committee concluded that if the AP/Civil Service Councils were content with the policy that they had approved, we were not going to dramatically change it. However, as we looked at the problems involved and listened to many people on campus, we thought the best way to do this was to address faculty issues separately from administrative professionals and civil service staff. So, the one change that we did make to the policy was to exempt faculty, who are already covered under a Code of Ethics. There were concerns about enforcement and safeguards and the Code of Ethics seemed to be the appropriate vehicle for these regulations as it has long-established procedures for ethical violations and grievances.

The revisions to the Code specify that faculty members have an ethical obligation not to enter into consensual relationships with students or others during the time in which the faculty member is in a position to supervise the partner in the relationship. The question arose of what rules should apply for a relationship that is ongoing before a faculty member is in the supervisory role. The faculty member is not required to report the relationship, however, when a potential conflict of interest exists, faculty members must maintain documentation to demonstrate impartiality and fairness in grading. We have always expected faculty to grade fairly in any situation. We did include warnings in the policy, stating, in essence, that a consensual relationship can very easily fall under the rules of sexual harassment. Even if the relationship does not meet the legal definition of sexual harassment, the University may be obligated to remove the supervisory/evaluative relationship.

Senator Borg: The Governance Draft 1 from September 10, 2002 (document 11.10.03.01) is in agreement in all respects with this proposed Consensual Relations Policy that we have before us now (document 02.02.04.01) with the exception of the third paragraph under "Policy", which reads, "{insert text here saying this action, as are all personnel decisions, must be kept confidential.}" I have not found anything in the proposed policy with that text. Was that omitted purposely?

Senator Coliz: Yes, it was. At one point, we were going to add that language to the policy, but the Rules Committee decided that it was a significant enough change that we would have to go back through the entire process of approvals and did not think that that was worthwhile. We thought if the AP and Civil Service

Councils were not concerned, we would not make that revision; it was not absolutely necessary to include it.

Senator Borg: If it becomes a problem, it is something that can be changed?

Senator Coliz: I think that is true, but I did not want to delay approval of the document on that one issue.

Senator Borg: In the first sentence of the additional language to the Code of Ethics, "...relationship with a student or others...", it is unclear to whom "others" refers.

Senator Coliz: It refers to anyone who is supervised by a faculty member with whom he/she might have a relationship. We can clarify that.

Senator Borg: It states in the Code of Ethics that faculty members have an ethical obligation not to initiate or enter into consensual relationships when they are in a supervisory position with the partner in the relationship. Is there a comparable passage in the Student Code that a student should not initiate such a relationship? I am uncomfortable with that language if faculty are not similarly protected.

Senator Mamarchev: Similar language is included in the Student Code of Conduct.

Senator Wang: The only place the Consensual Relations Policy is linked to faculty is in the first sentence of the policy.

Senator Crothers: Faculty members are included in that sentence as part of the definition of a University employee.

Senator Wang: How do we link the Consensual Relations Policy to the Code of Ethics so that there is no confusion?

Senator Coliz: In our discussion with legal counsel, it was concluded that the Code of Ethics would have to be widely disseminated.

Senator Wang: Suppose someone were to file a lawsuit? This would be the document that I am going to rely on. It clearly includes the word "faculty", so confusion may occur.

Senator Crothers: I don't think that under the law that there would be much confusion, because much like subsections, the second paragraph is an amendatory clause to the first paragraph. As a consequence, I don't think that a court would have a particularly difficult time understanding that our intent was to explicitly exempt faculty and faculty associates from the Consensual Relations Policy and to create a system under which they would be appropriately judged in the Faculty Code of Ethics.

Senator Meister: How does this policy apply to professional and business relationships? If you have a relationship that is not romantic, how is that situation dealt with?

Senator Coliz: The only thing that the Code requires is that in any situation where one might reasonably think that there might be a question of fairness in grading, faculty members are able to verify their impartiality.

The Consensual Relations Policy and revised Code of Ethics will come before the Senate for action on

February 18, 2004.

Advisory Item:

01.22.04.02 *Academic Calendar for 2008-2009 (Administrative Affairs and Budget Committee)*

Senator Hampton: The Administrative Affairs and Budget Committee endorsed the 2008-2009 Academic Calendar without revision. We received feedback from only one Senate member concerning the calendar.

Senator Borg: My concerns were not addressed regarding the number of weeks of classes after Thanksgiving Break and before Christmas Break.

Senator Crothers: If, in the future, we find that we need to increase the number of weeks of classes between breaks, the calendar can be revised relatively quickly.

Senator Hampton: At this point, we have no feedback on how the calendar has affected any program; however, this is something that should continue to be under review.

Communications:

Senate Approval of Program Proposals

12.08.03.01 *Accountancy and Information Systems Sequence and Professional Accountancy Sequence Proposal – Senate Approved January 21, 2004 on the Consent Agenda*

01.09.04.01 *Art Therapy Sequence Deletion Proposal – Senate Approved January 26, 2004 on the Consent Agenda*

Adjournment

ATTENDANCE AND MOTIONS