

Academic Senate Minutes
Wednesday, January 24, 2007
(Approved)

Call to Order

Chairperson 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 December 6, 2006

Motion XXXVIII-27: By Senator Fazel, seconded by Senator Horstein, to approve the Academic Senate Minutes of December 6, 2006. The minutes were unanimously approved.

Chairperson's Remarks

Senator Crothers: On behalf of President Bowman, I have been asked to formally announce to the Academic Senate that there will, as of next January, be an opening in the Office of Vice President for Academic Affairs and Provost. Our current Provost has chosen to join the faculty in August of 2008. As a consequence, I have contacted the appropriate shared governance bodies for the process of creating a search committee which will be formed soon under the auspices of a member of the Panel of Ten. Each college will elect a representative and also the NTT faculty will elect a representative. The Senate has no participation in that. I hope that you all join me in thanking Provost Presley for his long service and looking forward to a productive search for the person who follows him in office.

We have two senators returning, Senators Blaney and Lonbom, after some absence. Next, I hope that most of the faculty who were eligible for the midterm pay raises did receive theirs by now. I wanted to state publicly that this is an example of the university doing precisely what it claims it wants to do. It has claimed that faculty and staff salaries are its number one priority and has focused on those groups that are further behind the median than any other group for the second year of what I assume still plans to be a multi-year process. It is greatly appreciated.

I have a call to the student leadership to work with the groups and the people that they meet with regularly to remind them that there is precisely nothing in the victory of a favored team that allows you to vandalize property. It happened with the White Sox, it happened with the Bears. It has to stop; it is embarrassing. Hopefully, your leadership will call out to your friends and your communities to insist that it stop.

News came out recently about pending changes in the way that summer school will work next year. A number of people have questions and they have e-mailed me those questions. It disappoints me deeply to say that I had no idea whatsoever that there was such a committee working on questions and concerns about summer school. I found that profoundly disappointing from a shared governance perspective. This Senate has endorsed entrepreneurial courses as a possible way to deal with the overhead costs for departments. It did so last year. It did seem to me to legitimately be a matter for shared governance, so I do believe that I, as Chair of the Senate, and some of the shared governance constituencies, if not needed to participate in the process, needed to be aware that it was ongoing.

I have questions about the policy decisions that were made in part because I have done a great deal of research for the last several days. There has been an enormous amount of supposition. I think I understand a lot about why the decisions were made; I am not sure I understand them fully. There is only one person who can give you a definitive answer, the President. The commission was appointed by the President; the decisions were accepted by the President. He is the only person who can tell you definitively why certain choices were made. Therefore, I am asking you to send to me a list of your questions. I will compile them and present them to the President in a formal, complete whole and ask him to respond to them at the next Senate meeting. I think that we will get much better answers, much more effectively than if we just make assumptions.

Senator Cox: Can you give a brief explanation the changes?

Senator Crothers: Last year, there was an opportunity for many departments and programs to offer what we chose to call e-courses or entrepreneurial courses, which, based on some calculation of what the costs were, there was an incentive to put a course out there. If you had enough students in it, it would run. If there were more than enough students in it, there might be what you might call a profit, which might kick back to the department. That would then be available to buy equipment or do other kinds of things. Not every department or college did it; not every department or college had success at it. What has changed is that they have gone back to a more traditional model wherein you get a certain amount of money, you can offer a certain number of courses, but there is no profit involved.

I know that there was commission formed and a report written. I have not yet seen the report, so I would rather the President gave you a definitive answer.

Senator Wang: Can we have access to the report?

Senator Crothers: I will certainly ask the President.

Senator Cox: From a student's perspective, will that affect how many courses are offered, compared to last summer? Will there be a decrease in courses?

Senator Crothers: I know in my department that there is a commitment to offer the courses that we planned to offer in the summer. I can only speak from my department's perspective.

Senator Blaney: I am confident that President Bowman will address the questions that you forward to him, but might it not be appropriate for the Senate to ask that the various members of that committee be available to address academic units that request representation at unit meetings?

Senator Crothers: Personally, I would recommend against that on the grounds that such task forces are formed so that managers can make decisions. The managers then need to be held accountable for the decisions, not the people who were advisory to the manager. I think that you would do far better to ask Dr. Bowman or his representative to come directly to a unit.

Student Body Presidents Remarks

Senator Richards: Last Monday, we held an all-day student government retreat to prepare for the rest of the semester. We have gotten the elections committee up and running. Next week, we are starting off with some events with athletics and off campus, non-traditional students to put events together to encourage those students to get involved in athletics. Student Government will be working along with the Dean of Students

Office to encourage appropriate celebration and spread the word on how that should be done. We have two new students with us today, Jordan Broderick and Brandie Miller. We welcome them.

Administrators Remarks

President Bowman - Absent

Vice President for Academic Affairs and Provost

Provost Presley: I look forward to continuing to work with the Academic Senate until I join the faculty on January 8. I am grateful for the forum and collegiality of the discussions of this group. I have actually looked forward to every other Wednesday here. I think that we have gotten a lot of things done.

Vice President for Student Affairs

Vice President Adams: Dr. James Terfruchte has accepted our offer to become our full-time psychiatrist in Student Health Services. Dr. Terfruchte's employment is contingent upon successful completion of a criminal background check and a full review of credentials. I say this because until he does complete that process, he is not legally a member of our staff. He is currently in private practice for child and adolescent psychiatry in Dallas and is a Clinical Associate Professor of Psychiatry at the University of Texas Southwestern Medical Center at Dallas. The start date is under negotiation, but we hope that he will join us in the summer of 2007.

I wanted to also let everyone in the Senate know that a long-time member of the Student Affairs staff, who has been an Administrative Aid for more than a decade, Joyce Apple, is retiring as of January 31st. She has worked at ISU for 15 years and she has provided a tremendous amount of historical perspective for Student Affairs. She has requested that we not have any kind of reception in her honor, but we are making this announcement to make everyone aware that Joyce will leave the Student Affairs staff.

Senator Crothers: I am sure that President Bowman would have announced that a long-standing staff member of the university, Marilyn Boyd, died recently. She was a staff member working with the International House, Global Review and a number of other things. Her memorial service is tomorrow night.

Vice President of Finance and Planning

Vice President Bragg: Tomorrow evening at 7:00 p.m. in the Prairie Room, there will be a third charette, which is a planning session for facilities, for the Main Street Corridor Project. This is a project in which ISU has joined with the Town of Normal, City of Bloomington, Illinois Wesleyan University and the county to develop design standards and consistency in development along Main Street corridor, a corridor that carries over 40,000 vehicles a day. Everyone is welcome to attend that planning session. While you were away, we dug up Beaufort Street; we laid a lot of pipe between Watterson and the site where the southeast zone chiller will be built. We will be digging up Beaufort again, as will the Town of Normal, in the coming months. We have been working with the town to plan street closures for infrastructure improvement to interfere as little as possible with the university schedule. As soon as we know the final plans, we will share that with you so that you can communicate that to your colleagues. We are now moving forward with the southeast zone chiller building and, hopefully, we will have that up in time for the next chilled water season.

The construction has started on the hotel across the street from Watterson Towers. We are excited about the opportunities that that will bring to the university. We will go out for bid next week on the Stevenson-Turner project. We have been moving forward with the next phase of planning for the Student Fitness, Recreation and Kinesiology Center. The consultants and planners were back on campus this week meeting with some of you to start to refine those plans. We are in the process of planning and moving towards architectural

drawings for the new parking facility, which will be on the southwest portion of campus where the tennis courts currently are. The tennis courts will be relocated to the Gregory Street facility. The resident hall project is moving at pace. We have built the plumbing and electrical life safety systems in Wright Hall. That hall will be open next year for occupancy and then we will be moving on to the east campus towers for renovation.

Committee Reports

Academic Affairs Committee

Senator Borg: The committee continues its discussion on two topics which we hope to bring before the Senate this semester. One is the discussion of whether the university ought to adopt a plus and minus grading system. I encourage all of you to encourage anyone who has an opinion to communicate directly with me in the next couple of weeks. The next task that we are deciding how to deal with is the university writing exam, which the students requested us to review. We are developing a stratagem for that task.

Administrative Affairs and Budget Committee

Senator Kalter: We spent most of the evening working on the presidential commentary task, but also got a minor change to the Distinguished Professor Policy off of our agenda.

Faculty Affairs Committee

Senator Preston: We spent this evening refining our information item, the Childcare/Elder Care documents.

Planning and Finance Committee

Senator Crothers: We discussed the sources and types of information that we would need to commission a study on long-term options for financing for Illinois State University, the consequences for different funding streams, etc. Also, all of the committee chairpersons were sent an e-mail asking them to lead their committees in an *Educating Illinois* discussion. We conducted ours this evening.

Rules Committee

Senator Holland: The committee reviewed our information item on this evening's agenda, the Faculty Responsibilities to Students Policy. We asked the students of the committee how they felt about plus/minus grading and they were uniformly against it.

IBHE-FAC Report

Professor Curt White, IBHE-FAC Representative: I have two meetings to report on. The first was on January 5th in Springfield. You may recall that the last time I was here, I presented to you the teacher preparation statement that the Faculty Advisory Council had prepared and presented to the Board. We did receive a copy of a letter from the Illinois Association of Deans of Public Colleges of Education that was sent to the Board advising it to set our statement aside. As far as I know, the Board has not set our statement aside. At the January 5th meeting, we met with Executive Director Judy Irwin and staff member, Debbie Misner. Debbie is heading the Board working group on teacher preparation. We spent most of the day talking with them about what their intentions were and how we could participate. Teacher preparation issues are alive and very active within the Board.

At our last meeting, last Friday at Northeastern, one of the guests was the Former President of the Illinois State Board of Education, Max McGee, who heads a group called the Saturday Morning Dialogue Group, which includes people in business and education. The intention of this group is to find legislative sponsors. They really want to completely reform the tax system in the state. I am not sure how they are to go about this.

Their intention is to raise 6 billion additional dollars, half of which would be new dollars for education funding. This would sound impossible for anyone except that Max McGee is so well-connected in the state that he probably can do what he intends to do, which is to find people in the legislature who will work with him. Finally, the Faculty Advisory Council approved a statement on student debt, *Student Debt, an Impending Crisis: A Description of the Problem and Recommendations*. This was sent to you by Cynthia and I will present this statement to the Board at the February meeting. I plan to meet with the Student Advisory Committee to the Board of Higher Education with the hope of getting their endorsement of our statement.

Senator Crothers: We appreciate your willingness to serve on the IBHE-FAC. We also should congratulate Dr. White on his appointment as a Distinguished Professor.

Information Items:

01.16.07.01 Childcare-Family Care Facility Recommendations (Faculty Affairs Committee)

01.16.07.02 Attachment for Above Item: Summary of Childcare Reports and Recommendations Prepared by the Faculty Affairs Committee January 2007

NOTE: The other attachments referred to in the memo from the Faculty Affairs Committee can be found on the

Senate web site at: </documents.html>.

Senator Preston: The Faculty Affairs Committee has been charged with examining faculty recruitment and retention and we believe that part of those issues involve childcare and family care for ISU faculty, staff and, ideally incorporating, students as well. Summarized in this small number of pages is the work close to 80-100 pages by previous committees dating back to 1999. To save paper, they have been posted on the web. If you are interested in the original data and reports, please consult those documents. They are very impressive; there was a lot of groundwork. The previous committees have recommended the implementation of a childcare center that would serve dual purposes of supporting across disciplinary and curricular needs, a teaching component, as well as serving both students and employees. We are very impressed with the previous data and we unanimously endorse their recommendations with a few modifications.

To give you some background, previous analyses suggest something like 150 children from faculty and staff could be involved, with services for children from six weeks old to about ten years old. At present, the student facility carries about 40 students and does not have very young childcare as part of that. So, this would be an extension of those kinds of services. We have a large number of civil service employees, 1341 by last count, faculty and associates, 983, and managerial, 635. We believe that this would greatly benefit our civil service staff, as well as our faculty. We also believe very strongly that this supports the *Educating Illinois* initiatives and it encourages the well-being of families and staff. It makes their lives a lot easier as functioning people within the university.

To list the benefits briefly: 1) Recruitment of new faculty. This issue rarely appears when you are interviewing new faculty, but when you talk to them later on, it is important for their well-being. 2) Retention of staff and faculty. This is of major concern. One of the initiatives undertaken last year on retention is summarized and this issue came up at that point. It certainly will encourage retention. ISU adopting a daycare and family care facility of this sort will join major universities that provide access to these facilities. As you know, our reputation is improving greatly. There are many measures that show that ISU has reached a new height. This would add to it, perhaps not in a completely visible way, but it would very much strengthen ISU as a place where top-ranked faculty members can be happy and a place that attracts them. 3) Because we have a very strong educational component in this university, this facility would be an excellent one in which to develop early childhood programs. As part of this, we also suggest establishing a family advocate position

that would help coordinate and integrate some of these services. This could be done sooner rather than later and perhaps there are state and federal grants that are available to help support some of these initiatives. I really think that it would help ISU's reputation as a faculty-friendly, family-friendly institution.

The possible facilities that have been recommended by previous reports include an on-site childcare laboratory built by ISU, perhaps on the Gregory Street property, that will serve our staff, faculty and students. A second possibility is renovation of existing property. A third is a shared facility with BroMenn and Illinois Wesleyan. A fourth is some sort of subsidy; I understand that there are some legal complications with this. It turns out that there have been some ongoing negotiations by Assistant Provost Chuck McGuire concerning the shared facility with BroMenn and Illinois Wesleyan. I just learned tonight that there have been some very interesting developments.

Assistant Provost Charles McGuire: I think we have some good news, or at least movement, with regard to the childcare facility. Fairly recently, I was asked to become a part of the Community Collaborative Intergenerational Task Force, along with Jan Shane from the Provosts Office and Dr. Steve Bragg from Finance and Planning. This task force is formed from BroMenn Medical Center, Illinois Wesleyan and Illinois State University. It has been around for sometime, but just in the last three or four months, there has been some fairly substantial movement. The focus of this task force is intergenerational care, which is care for children and elder care. The goal is a new facility which would serve all three institutions jointly; ISU being the largest of the three institutions would play the largest role in that facility.

We are looking at a fairly short timeline. There have been, what I have considered, some overly optimistic timelines of two to three years, but even so, I think we are moving very quickly. Where we stand right now is that we are looking at and negotiating a memorandum of understanding between the three institutions to bring a consultant or a consultant-architect, who has dealt with these kinds of intergenerational facilities, to the three institutions to get further information about how those kinds of facilities work. This looks like a large facility. We are looking at a significant number of children. I hesitate to use numbers at this early time, but it should meet most of the needs that we were talking about earlier.

One concern for us is clinical training for both the Family and Consumer Science area and the College of Education and we are trying to ensure that that will be built into the process as well. They are working hard and I think that this is something that you will hear a lot more about in a very short time period, within the next few weeks or months. I think Dr. Bragg is also involved in that and he may have some information that I don't. I think this is moving forward rather quickly.

Senator Preston: You don't know how happy that makes the committee. We were impressed that this issue has been ongoing for such a long time. It involves resources from the university, it is difficult to organize, but this sounds like a very good solution. So, we certainly encourage it.

Senator Crothers: I think, with that option just coming to the committee's attention, it is a good time for people who have questions to raise them. We won't move this to action any time soon. In fact, I think the smartest thing to do is simply charge the Faculty Affairs Committee to keep in contact with Associate Provost McGuire, and/or any successors that may eventually emerge, to make sure that that coordination goes forward. If it stalls again, then it might be appropriate to move more towards an imperative action. But I think it is a good time to get feedback from this body.

Senator Smith: What affect might this development have on the facility currently housed in Family and Consumer Sciences?

Senator Preston: Again, you need to talk to the people in charge, but our impression is that at some point it would ultimately be combined.

Senator Walters, Department of Family and Consumer Sciences Chairperson: Our dream for a long time has been to expand. We certainly would not have any decrease in quality of the program. In addition, it would give us important facilities for research across the lifespan.

Senator Tran: I think this sounds like a great idea. Since we are teaming up with BroMenn, are there going to be community influences, such as allowing the facility to be open to the general public? Also, will this be low cost and student friendly?

Assistant Provost McGuire: I am not sure that we can give you too much more detail at this early stage. We are still trying to bring a consultant in who can tell us how these facilities are best organized. We haven't gotten to those questions yet. I would suspect that it would not be open to the general public, but only to the three institutions. That's as much as we know at this point.

Senator op de Beeck: There is an estimate here of 150 children of faculty and staff who will need child care services. Can there be an estimate of undergraduate and graduate student parents at a given time as well?

Senator Preston: Absolutely. That has to be considered and this statement was based on the faculty-staff need. We know that we have a student daycare center now, which serves about 40 students. Certainly, if they join together, there is room for expansion and we would fully support that.

Senator Mwilambwe: First, I did not hear about Wesleyan students and I do not know if they will be included. Second, I am assuming that the location would have to be one that is convenient for all three groups, but I can't see any location for the facility in that particular area.

Senator Crothers: As for Wesleyan students, the demographics for them make the number of them having children very low. They have no graduate students; it is not impossible, it is just rare.

Assistant Provost McGuire: There have been a couple of locations mentioned within the committee. I think it would be irresponsible for me to mention those at this point, but they provide reasonable access to all three facilities. That is obviously a concern that we will look at.

Senator Horstein: With all three using the facility, it says in the document that it should be more convenient for the other two institutions. But if ISU employees are going to make up the bulk of people using the facility, I think that that should be taken into consideration when planning for a location.

Assistant Provost McGuire: I agree. That will enter into the planning.

Senator Schambach: Has the committee checked with the private sector in the area to see what they are doing? The reason that I bring this up is that I have heard concerns in the past from the private sector. They tend to stay away from this type of facility because of the inequity in the provision of benefits to one group of employees. Also, this is a taxable benefit and that becomes a very difficult thing to take care of from an accounting perspective. There are also concerns about legal liability. Has the committee addressed these issues?

Senator Preston: Those seem to be technical issues; we were concerned that this get on the table and that action be taken, but I am sure that these will be issues that will be dealt with in the future very seriously.

Assistant Provost McGuire: Yes, they have all been raised in the committee meetings. We are bringing in consultants and we will look at where that leads us.

Senator Coleman: As you envision this facility, are you still looking at it as multigenerational for childcare and elder care?

Assistant Provost McGuire: Yes, those facilities are fairly rare at this time, so finding a prototype is fairly difficult. There are a couple around that we know of and some of the members of the committees will visit those very shortly. We know that there are some experts and consultants that have done this kind of work before.

Senator Crothers: As I said, I don't think that this will need to go to action any time soon. I do think that the Faculty Affairs Committee and representatives of the task force need to consult regularly. It may be at some future time, if this stalls, that we need to move to some kind of action recommendation. Dr. McGuire, do you have any sense of a timeline?

Assistant Provost McGuire: The conversation in the committee has been in the two- to three-year range. Having dealt with facilities over time, I find that extremely optimistic.

Senator Preston: I would like to congratulate the administration for taking action on this; we are very encouraged.

12.08.06.01 Faculty Responsibilities to Students Policy (Rules Committee)

Senator Holland: We have a draft of the Faculty Responsibilities to Students Policy. For those of you on the Senate last year, you may remember that we passed a new ethics document and had several subdocuments that went along with it. One of them was this policy in a form that was much more appropriate to about 1966. There is not really a lot of new material in here except that we have now put in that students need to be given or have access to a written syllabus. Written is either printed or electronic. We have given a number of things that should be included in the syllabus and it also formalizes the fact that faculty should be available to students, in a fashion appropriate to the class being taught, outside of class times. We added this because we do realize that there are a number of online courses. In that case, an office hour might not be appropriate, but some type of reasonable response time on e-mails would be.

Senator Fazel: I have a question about item number 2 concerning the syllabus, that faculty should have clear policies regarding academic dishonesty as stated in their syllabi. It is not clear to me what I am supposed to be doing in terms of inclusion of material in my syllabi.

Senator Holland: There are official policies about that and just referencing that in your syllabus would be sufficient. If you have anything specific to your class, then you need to state that if you would like to go above and beyond university policy.

Senator Crothers: I am aware that there were historical cases that went through the student adjudication system where because the faculty had no statement against, for example, plagiarism, the adjudicatory board ruled in favor of the student who had committed plagiarism because it had not been forbidden.

Senator Fazel: We do include in our syllabi right now references to university policy, so that is all we are talking about here?

Senator Holland: That should be sufficient to make sure that students are aware of the fact that there are university policies related to this.

Senator Mwilambwe: How is this document going to be disseminated?

Senator Holland: Once it passed by the Senate and the President signs off on it, there is a web page that has all of the university policies on it and this will be policy 3.3.15.

Senator Crothers: Which is referenced and hyperlinked from the Code of Ethics. It then becomes the responsibility of someone bringing a complaint to trace through hyperlink after hyperlink.

Senator Holland: I think that this one is sufficiently important that probably a mass e-mail would be in order to all faculty members to make sure that they are aware of it. We have tried to send it out to all of the chairs already.

Senator Crothers: We have also historically tried to use the faculty liaisons.

Provost Presley: If this passes, I would happy to have this included in the electronic handbook for faculty and in a version of that, the electronic handbook for new faculty, so that it would be immediately available to new faculty even before their orientation.

Senator Borg: I have come to know that this is indeed the responsibility of the directly-connected administrations, the department chairs and school directors, to remind faculty continually of these sorts of things and it certainly also should be a part of the new faculty orientation.

Senator Crothers: Did the committee discuss adding specific requirements about accessibility expectations?

Senator Holland: We felt that depending on the department and the class, “reasonable” will have different meanings that can be determined by the department.

Senator Fazel: In item number 2, the last sentence, it reads, faculty should enforce all university policies regarding academic dishonesty. Does that mean if a faculty member used his or her judgment to deal with a specific case in a way which is not necessarily in accordance with university policies, that would be considered unethical?

Senator Holland: I think that all of these things have judgment calls associated with them. Officially, it could be an ethics violation if anyone were to really get upset with you about it because you are not treating the other students fairly.

Senator Fazel: I understand that faculty have to deal with the situation, but, at the same time, I think that faculty should have the flexibility to use their judgment according to the situation rather than going by the book and saying that this is the crime and this is the punishment.

Senator Crothers: I can assure that the rules do not specify punishments. All of it is judgment.

Senator Fazel: Can you give me an example of enforcing the policy?

Senator Crothers: If a student has committed plagiarism, you don't get to ignore it. You are obliged to enforce a plagiarism penalty based on your judgment, the university rules and the department norms. That's what I understand that to mean.

Senator Kalter: In reference to that, my understanding is that we are responsible for reporting it to Community Rights and Responsibilities. I wanted to ask if whether there is a similar mechanism for publicizing the new policy to students in the same way that we will be publicizing it to faculty. The reason I ask is obviously students should know what kinds of obligations faculty have to them so that when a faculty member is not meeting those obligations, they know what is going on.

Senator Richards: If the committee would like, we would be happy to forward that along to all the students via university e-mail.

Senator Crothers: I am reluctant to push this too fast given its actual significance in the system. I am prepared to suggest its moving to an action item tonight. I am happy to wait two more weeks and give people a chance to read it and consider it fully. This is something of some moment and I am not willing to just kind of steamroll through it.

Senator Holland: I would point out that we did send it to all of the Senators well over a month ago.

Senator Crothers: I can't promise you, with the Christmas holidays, that it got read and thought about it. I don't expect any controversy, but I think that we will wait two weeks to make sure that it is fully discussed and fully understood. Please do think about this; please do read it closely. We will act on it in two weeks. If you still have any questions or concerns, we will allow that discussion.

Communications:

12.11.06.01 Illinois State University Team Excellence Awards

Nominations for members of teams for the Team Excellence Awards were due on January 19. The university-wide award recognizes collaborative efforts of a group of administrative/professional and/or civil service employees. Faculty and students may also be included on such teams. There are currently six nominations and the award will be announced on Founders Day.

01.24.07.01 Sense of the Senate Resolution: Implementation of Ethics Training (Senators op de Beeck and Fazel)

Senator Crothers: As we present this resolution concerning the ethics training, I want to emphasize that we are not going to sit here for the next hour and say that the ethics training is stupid. It is stupid; there is no one who is going to say that the training is pedagogically meaningful or that it is challenging in any particular way, not to mention that it is not difficult for anyone with a decent sense of ethics. We are simply not going to spend the next hour whining about that. We are here to debate specific questions regarding implementation and I will rule out order complaints about the ethics exam. Whether or not we can get it more effectively and meaningfully implemented is an open question.

Senator op de Beeck: It has come to our attention that 622 ISU employees have had their ethics certificates invalidated because they took the test too fast. No official time requirement has been published according to Shane McCreary, who is the ISU Ethics Officer, but ten minutes seemed to have been the time required. People were taking it in less than ten minutes and, therefore, the OEIG (Office of the Executive Inspector

General) is requiring them to do further ethics orientation and to sign and return an enclosed certification form accusing them basically of cheating somehow. Some articles have been published on insidehighered.com, such as yesterday's *An Ethical Dilemma*, which is an article about the reasons why this letter was sent. The letter charges, as you will see in the third paragraph of the resolution, that employees appear to have failed to have carefully read and reviewed the subject matter, even though they may have done so, and requires that the employees sign the form verifying that they have not complied. We are saying in the Sense of the Senate Resolution that we would feel insulted by that, that it is a coercive move, and, in fact, if we are not guilty, why sign the form? Consequently, we wanted to ask that the Academic Senate resolve to do these five things.

1. Reiterate ISU's commitment to ethical conduct by all of its employees.
2. Urge President Bowman, in cooperation with university presidents, to appeal to the State for a reduction in the frequency of this test taking, perhaps at hire for every new employee and five years afterwards for faculty and staff and maybe every year for administrators. This was suggested by the administration. We have talked this over, so this has been through a process.
3. Ask Representative Curt White, through the FAC, to address the ethics test through the IBHE.
4. Support ISU employees who read and sign the required certification, but sign in protest. Southern Illinois, which also has people who have been accused of noncompliance, has recommended that people say that they are signing it under duress and we have included that wording in this resolution.
5. Request that the university take no account of the apparent admission of guilt and note the protest statements appended to the document, just to be in acknowledgement of the protest.

We have talked about it and there does not seem to be anyway of getting around just signing it, but we can sign under duress and also protest this kind of allegation.

Senator Mallory: I am curious about what a Sense of the Senate Resolution is, what weight it has and what we hope to achieve.

Senator Crothers: A Sense of the Senate Resolution is a statement from the Senate making an opinion and it has, therefore, the weight of an opinion. The great freedom is that unlike our recommendations, for example those for the Faculty Responsibility to Students Policy that have to go the President for approval, a Sense of the Senate Resolution does not. The Sense of the Senate Resolution is this body, as the representatives of a broad community, saying this is what we think is best. The President is under no obligation to follow this resolution. My guess is that he will because, one, we are a broadly representative constituency and he would question alienating that constituency; and, two, in general, the administration has always taken note of resolutions from this body. The resolution has no formal legislative weight, but it is an opportunity to register the broad opinion of a community.

Senator Mallory: Do we understand what the repercussions of recommending that employees sign in this way might be for them personally or for the institution?

Senator op de Beeck: In the second paragraph, the Office of the Executive Inspector General did write that failure to complete the additional training, etc., will result in disciplinary action, up to and including termination of state employment. It seems as though the result could be withholding of pay.

Senator Crothers: The question is what happens if you admit guilt. That is why you have number 5 of the resolution, which asks the administration to take no account of the apparent admission of guilt and that you have signed under duress. The one interesting iteration of this is for people with visa issues. Are they admitting to breaking a law and therefore are they going to get tossed out of the United Staff?

Provost Presley: The training is not law.

Senator Crothers: I don't think that there are any meaningful consequences for signing with the duress statement. If you do have concerns about the legal meaning of this, you would have to consult a lawyer.

Senator Blaney: I think that this resolution is well written and fair to all parties involved. I wonder if it might be appropriate to express our exception to the accusatory tone in the OEIG's letter.

Senator Crothers: I think the answer is no because I don't think that we are going to win a fight with the State. This governor does not care.

Provost Presley: The tone of their public remarks is much more offensive than this letter and that is probably what we should be objecting to.

Senator Crothers: My suggestion is to ask the university to work with the state and ask the university to hold harmless those people who were tricked by a state that did not tell you what the time limit was.

Senator op de Beeck: In the resolution, as we wrote it, we did use the adjective "accusatory" in terms of the letter. We were trying to say that the letter is accusatory, it's insulting and it is making allegations.

Senator Crothers: Do you have any specific language you would suggest adding?

Senator Blaney: The Academic Senate of Illinois State University considers the letters, which were sent out by the OEIG, to be accusatory in nature.

Senator Crothers: It is up to Senators Fazel and op de Beeck to accept that.

Provost Presley: I don't think that that is strong enough; they meant the letter to be accusatory.

Senator Crothers: That is a fair point, so something along the lines of the Academic Senate is offended by the accusatory tone.

Senator Fazel: I agree that we could include a stronger statement.

Senator Crothers: There is no immediate urgency on this Sense of the Senate Resolutions, so if there are changes that we decide we need, it is not a big deal to come back to it in two weeks.

Senator Alferink: I come back to the purpose of a Senate Resolution and who it is best addressed to. The questions arising deal with multiple audiences, one of which is the university community and the other of which is individuals outside of the university community. My sense is that we would be far more likely to have a useful Sense of the Senate Resolution that might have some impact if we addressed it to the university community. Is it a fair statement to say that resolutions have been directed to both the university community and others as well?

Senator Crothers: Yes, and they have been sent to those audiences. Again, this is about this particular resolution, that is, what is likely the most effective strategy.

Senator Stewart: If not the accusatory tone, which was probably intentional, one of the biggest concerns that I find about this situation is the conclusion that has been drawn, which given the population that we are talking about, is probably ill-founded. Just because they took it quickly does not mean that they cheated. So, we might want to say that they have drawn an erroneous conclusion.

Senator Crothers: The language does have something along the lines of ‘notwithstanding that employees may well have done so.’

Senator Cutbirth: I readily admit that I took the test in 9.62 minutes, so I got one of those letters. I want to know why I have to sign it. I did not do anything wrong.

Senator Crothers: You work for the State of Illinois and that is the way that the governor set the system up.

Senator Cutbirth: I think that that is simply too easy.

Senator Crothers: That is inappropriate for this forum; this forum can do nothing about the ethics test.

Senator Cutbirth: We could support people who don’t sign the letter.

Senator Crothers: That is what the resolution says to do.

Senator Cutbirth: No, it says sign it with a caveat.

Senator Crothers: What would supporting the people who don’t sign the letter look like to you? What would you expect the university to do? I know of at least one who senator has already publicly declared he intends to refuse to sign. I don’t think we are going to purge you from the university community. What does supporting the person look like?

Senator Cutbirth: It is a Sense of the Senate that we think that not signing the letter is a viable option.

Senator Crothers: I think there are a couple of options that have emerged that need some discussion by the primary sponsors that cannot be easily answered tonight. We have at least the question of adding the clause regarding those who refuse to sign deserve the university’s support. We have the question of adding the clause regarding the offensive tone and that the university finds it non-evidentiary.

Senator Fazel: Yes, we would like to make some changes for next time.

Senator Crothers: If you have any other thoughts or questions about what needs to be added, then I am sure an e-mail to Senators op de Beeck or Fazel would be welcomed.

Adjournment