

**Academic Senate Executive Committee Minutes
September 6, 2005
(Approved)**

Attendance

Present: Farzaneh Fazel, Lane Crothers, John Presley, Dan Holland, Eileen Fowles.

Absent: President Al Bowman, Marian Hampton, Nathalie op de Beeck, Josh Garrison, Brett Schnepper, Ross Richards, Lynsey Wright

Call to Order

Senate Chairperson Lane Crothers called the meeting to order at 4:00 p.m.

Approval of Executive Committee Minutes of August 22, 2005

Revisions to Executive Committee Minutes of August 22, 2005:

Page 3: **Provost Presley:** "...Ira Schoenwald...we call upon him to clarify..."

Page 5: **Senator Crothers:** "The issue is if one college or department increases its standards..."

Professor Mr. Tom Fowles

Senator **Hammel Holland**

A quorum of members was not present. Therefore, approval of the minutes will be done by e-mail.

Previously Distributed Communications:

03.17.05.03 ***2004-05 Administrative Affairs Committee: Administrator Selection (Search Committee) Policy (March 2005 Draft) – Distributed in 8/22/05 Executive Committee Packets***

08.15.05.05 ***Administrator Selection (Search Committee) Policy-Revised Draft from Crothers/Presley (August 2005 Draft) – Distributed in 8/22/05 Executive Committee Packets***

08.15.05.11 ***From President Bowman: Comments Concerning Administrator Selection (Search Committee) Policy – Distributed at 8/22/05 Executive Committee Meeting***

Distributed to Executive Committee by e-mail and at the 9/6/05 Executive Committee meeting:

09.06.05.02 ***From Lane Crothers: Administrator Selection Policy (September 2005 Draft)***

Senator Fowles: Under "Changes in Procedures" on page 4, it says that modifications must be approved by just this body, the Executive Committee, not going into the full Senate. So, once this procedure is approved, it does not go back to the Senate again; it only stays in Executive Committee.

Senator Crothers: No, if someone, for example, wanted to add an additional person to a search, that decision to add would be contained within this body and would not go to the full Senate.

Senator Fowles: The one I was concerned about was the Provost search. Is there no Senate rep?

Senator Crothers: Historically, there has never been one.

Senator Fowles: I presume all of the faculty members are tenure/tenure-track, but should we specify NTTs? In a large department, you could have all NTTs and no tenure faculty.

Senator Crothers: We are specifically excluding NTTs in this draft.

Senator Fowles: It just says faculty and it is not clear anywhere whether they are tenure or non-tenured.

Senator Crothers: That's an easy fix; you just put T/TT in those places.

Senator Fazel: Does that mean that we won't have any NTT representation?

Senator Crothers: That is correct; that was one of the concerns or questions regarding the unionization of non-tenure track faculty in that that area gets into Illinois Labor Law about what they negotiate for.

Senator Fazel: So, as a part of their contract, there is nothing about participation?

Senator Crothers: Correct.

Senator Holland: So, if they get into their contract that they get representation, do we then have to go back and change that in this document.

Senator Crothers: We would do so procedurally, but the contract trumps this document.

Senator Fowles: Are the faculty members on these lists elected?

Senator Crothers: There is no procedure outlining that at this point. My expectation is that the caucus would come up with such a list, probably by reaching out to the colleges and asking for volunteers—asking for them to bring names forward to us that we would select from, some of whom may be senators, some of whom may not be.

Provost Presley: If you really want the Provost, or whoever, to really look at discipline representation, gender, ethnicity, you can't do it with an election.

Senator Fowles: Could these names that are placed on the list be elected within the unit?

Provost Presley: I would prefer that they were not, but this document is silent on that.

Senator Crothers: Colleges have their own election rules for electing people to university-wide bodies. The second selection beyond that would be by the President or Provost. The one obvious concern is that a president or provost will use their choices manipulatively and the answer to that is if we pick good people, it won't matter. It doesn't have to be the colleges electing. The CFSCs might prefer to have lists of volunteers—their own kind of internal versions of Panels of Ten.

Senator Fazel: The one concern I had was with these numbers when you talk about ten people or eight people from a college. We have difficulty finding the minimum number that we need now on some of the committees, so, how are we going to come up with ten?

Senator Crothers: We are not talking about ten from a college.

Senator Fazel: For the dean search, there would be ten. So, you have to come up with ten names in one college.

Senator Holland: Is it possible for Mennonite to come up with ten?

Senator Fowles: Not tenure-track.

Provost Presley: That is frequently the case for a lot of searches for Mennonite and Milner. The college dean search is likely the one to be the most politically problematic. I want, as the appointing officer, ten names so that I can make a choice and try to avoid the extreme self-interest of some groups. That is why that number is bigger than for some of the other searches.

Senator Fazel: But at the same time, we have to come up with the names of these people.

Senator Crothers: Are you saying that it is going to be difficult to come up with ten people in the College of Business

who are interested in the search for a college dean?

Senator Fazel: There is a good chance that that would be difficult to do. The Provost then chooses from those names. At this time, we are at a really good point regarding the relationship between administration and faculty, but we have had instances in which the relationship has not been this positive. So, I am concerned with faculty just submitting names to the Provost or the President.

Senator Crothers: That is not how it works; it is working through the college council, which is your faculty colleagues.

Senator Holland: I can envision this from your perspective, Provost Presley, as being a complete hornets' nest for picking names because I can guarantee that you are going to lose no matter who you select.

Provost Presley: I agree that it can become a hornets' nest, but I would rather that it be a hornets' nest there than in the committee room. I don't want people on the search committees who came there with an agenda. What we are suggesting is a simplification, something that reifies election results. If I am supposed to be responsible for gender balance, ethnic balance, discipline balance, it doesn't work with elections.

Senator Crothers: I did make the two changes that I understood the President to desire in the Vice President for University Advancement section. Instead of saying "elect" a member of the Foundation Board, I said just choosing a member of the board after consultation. I want to make sure that that is ok. Are there any additional areas of concern because the one that we are discussing is going to have to be hashed out on the floor of the Senate?

Senator Fazel: What is a targeted search?

Senator Crothers: A targeted search is basically where you know the person you want to hire because they have the skills or for minority hires.

Senator Fazel: There is no search committee?

Senator Crothers: That is why this process requires that the appointing officer have several conversations. Right now, it can happen without any conversation. The conversations are to say, is it appropriate to do it this way? There is a discussion of the qualifications of the person involved as well.

Senator Holland: Is there time for this to be sent around to the college councils?

Senator Crothers: At this point, no. I would like to place the revised draft on the next Senate Agenda as an information item.

Senator Holland: I could imagine this being somewhat contentious and I would like to know what my constituency thinks.

Senator Crothers: I understand where you are trying to go. On the other hand, that is why we have representatives on the Academic Senate and this is our purview and not theirs. Once it is on the agenda, people can look at it and challenge it.

Provost Presley: The sticking issue that you expect from the college council is irrelevant, is it not, to everything except to the college dean searches?

Senator Fowles: For any list of names.

Senator Holland: I can envision the college councils and faculty saying, we want this person on the committee.

Provost Presley: Yes, but it is the Faculty Caucus that does it for the first three. Is there some change that this group

would like to suggest that might make it less contentious?

Senator Fowles: Maybe if we just added the phrase, 'following college election procedures', or something like that. You don't want to do that?

Senator Crothers indicated no.

Senator Holland: This came up last time when we made them choose two names and we took one; that was a deal with the Board of Trustees.

Senator Crothers: The colleges believed that we had violated their rights because, in the past, some elections had worked that way. As it happens, the language of the constitution of the moment did not give them any such rights. In a presidential search, there are no rules because the Board of Trustees sets its rules as it wishes. But that became a question of their rights as they perceived them under existing guidelines. They were wrong, but they perceived them that way.

Senator Fazel: But if we have done it all the time in the past, then that is the expectation and also part of shared governance. We are not electing anyone to these committees now.

Senator Crothers: I don't find the shared governance component of this undermined because we have the power up to the point of final selection. Moreover, this does one other thing. It clarifies lines of accountability. They are the managers; they are doing the hiring. If they hire badly, we fire them. We do that at this University.

Senator Holland: What the faculty are going to see here is that you are going load the committee with people who are going to do what you tell them to do.

Provost Presley: Not if they give me the names of the people that they think are going to do a good job.

Senator Holland: You are going to be selecting people who have not run.

Provost Presley: No, I am going to be selecting from names sent up by the faculty.

Senator Fazel: I think that if the faculty elect these eight people, then what you are saying is absolutely right.

Provost Presley: They can choose them however they want to choose them. There is just as much faculty prerogative in this draft as in the old one. There is also a little prerogative for me. I don't have to accept the name of someone I know is just fluffing their resume. I think that you are much more likely to come out with a committee that is balanced in other terms.

Senator Crothers: So, do we place this on the next Senate Agenda to begin this debate publicly, with the few revisions that we have agreed to?

Senator Fowles: Why not put the balance factors in there and amend it to say, 'selection of the committee will be made with regard to...'

Senator Crothers: We can't for the exact reason you just told us about Mennonite. I don't think that there is an easy way around this. Either we accept that the administration has some right to select committees and that they can use any number of variables for it or we don't. If we don't, then this will get rejected and we stick with what we have.

Provost Presley: If you reject it, you will have a very inferior policy—one that does nothing about targeted searches.

Senator Crothers: I just want this public debate to begin.

The item was placed on the Senate Agenda as an Information Item.

Distributed Communications:***08.30.05.01 From Amy Roser: 2009-2010 Academic Calendar***

The 2009-2010 Academic Calendar was an Advisory Item to the Senate on May 2, 2005. The 2010-2011 Academic Calendar will be distributed to the Academic Affairs and Budget Committee after it has been forwarded to the Senate Office from the Office of Enrollment Management and Academic Services.

09.01.05.01 From Brent Paterson: University Hearing Panel and SCERB Membership (Forward to Rules Committees)

Senator Crothers: They are having a problem getting faculty members to serve on these committees. Brent Paterson is asking for a one-year waiver that lets Hearing Panel members potentially serve on SCERB and SCERB members potentially serve on the Hearing Panel. Then he wants to come to us with a proposal to make that change permanent. I would hope that when we refer this to Rules that we would refer it with a recommendation that they expedite it.

Senator Holland, 2005-06 Chairperson of Rules Committee: If he can attend the meeting next week, we will expedite this.

09.01.05.02 From Win Mahatanankoon: Membership on Senate***09.01.05.05 From Joe Blaney: Membership on Senate***

Senator Crothers: You received an e-mail exchange between Senator Mahatanankoon and me and also between Joe Blaney and me about service on the Senate. In Win's first e-mail to me, he was thinking about not doing it this semester and next semester, too.

Senator Fowles: His chair scheduled his classes for this semester and last semester from 4:00 p.m. to 7:15 p.m.

Senator Crothers: So, it looks like Win will be able to come to meetings late, but not participate this semester on the internal committee to which he was assigned, Administrative Affairs. Joe Blaney cannot come at all this fall and the discussion that we had was whether or not he should step aside for this semester and let the college come up with someone else. He is asking to be exempted this semester and come back. We have done it before, so, I assume that that is probably going to be ok with everyone.

There were no objections to permitting both members to remain on the Senate, with Professor Mahatanankoon being exempt from internal committee service during the fall semester and Professor Blaney being exempt from Senate meeting attendance during the fall semester.

09.01.05.03 From Jan Shane: Academic Planning Committee Membership E-Mail Communication***09.06.05.04 From Jan Shane: Academic Planning Committee Membership – List of Volunteers***

Senator Crothers: We just distributed to you the memo from Jan Shane and you received in your packet the initial e-mail from her with the Blue Book membership composition of the Academic Planning Committee attached. The way that APC is currently structured is that it is a Senate-heavy committee—a representative from Academic Affairs, a representative from Planning and Finance and then three additional reps from the Senate. Both last year and the year before, we were effectively unable to come up with enough bodies. What you have here is a request for a waiver for one year that would go to the Faculty Caucus. We would still have the Academic Affairs rep, Planning and Finance rep and I would still be on it. The question would be, can we expand the faculty membership of the committee? It would not be a Senate-based membership, but faculty-based. We did this last year; we made exemptions and had a couple of people from different colleges on the committee. It worked well and you have here now the names of people from every college who are volunteering so that we can get a broad representation. Also, what happened as the semester unfolded was that there were several meetings at which there were just Jan, Gary McGinnis, me and maybe someone else and that was it. This would increase the number of bodies available for the inevitable kind of swings. Actually, we have a quorum of the caucus, so is it ok if we put this on the caucus agenda?

The faculty agreed to place the election of the faculty members to the Academic Planning Committee on the caucus agenda of 9/14/05.

Senator Crothers: In the last paragraph, it reads, "I would also request that the Executive Committee request a review of Academic Planning Committee membership by the appropriate Academic Senate committees." What Academic Planning wants to do is talk about that question. It will then submit a proposal to Academic Affairs probably instituting this permanently. It's a one-year pilot that will probably lead to the formal request to create a mechanism much like this.

The faculty members of the Executive Committee approved the one-year pilot for the committee membership and the submission of a proposal from the Academic Planning Committee for Senate consideration.

09.01.05.04 From Jon Rosenthal: University Curriculum Committee Membership

Senator Crothers: Arts and Sciences can't come up with a representative to the UCC. Milner has an additional body willing to serve, so the request is that they be allowed to serve for one year. Technically, we cannot agree to offer a waiver of this since we are not a quorum, so I will ask that we agree to the waiver requested by e-mail.

Ms. James: The Faculty Caucus has already elected the Milner reps, so the waiver is not to allow both Milner reps to serve. The waiver is asking that one of the Milner reps serve for only one year rather the three years for which he was elected. Jon would like to give CAS another shot next year.

09.01.05.06 From Amy Adkins: College of Education Comments Regarding Faculty Code of Ethics

Forwarded to the Rules Committee for its continuing review of the Faculty Code of Ethics. Former Senator Dan Hammel will also return documents to the Senate Office concerning the Rules Committee's review of the Code of Ethics, which will also be forwarded to the Rules Committee.

ADDENDUM:

09.06.05.01 From Helen Mamarchev: Designees for Senate Internal Committees

Senator Crothers: The question of who is an ex-officio member of the Internal Committees is set in the Senate Blue Book. Therefore, if a provost has appointed an ex-officio to a committee, then he can't appoint a second. On the other hand, what they are trying to create is a flexible resource base. Therefore, I am going to ask Cynthia to create a master list of who all of these people are, what committees they agreed to serve on and their contact information so that the committee chairs will have easy access to this information. They are not technically ex-officio members, but all of them should be perceived as rotating experts for specific issues.

09.06.05.03 From Lane Crothers: Powers and Responsibilities of Committees of the Academic Senate (Forward to Internal Committees)

Senator Crothers: Last year, when we sent out the beginning memos to the internal committees, we also sent out the generic statement about what it is that Senate does and why. We should have sent this out to the new Senate and I going to assume that there is no objection to sending it again.

There were no objections.

Proposed Agenda for Academic Senate Meeting of September 14, 2005:

Call to Order

Roll Call

Approval of Minutes of August 31, 2005

Chairperson's Remarks

Student Government Association President's Remarks

Administrators' Remarks

Committee Reports

IBHE-FAC Report

Action Items:

Election of Academic Senate Secretary

Election of Executive Committee Faculty Representative

Information Item:

09.07.05.01 Administrator Selection Policy – September 2005 Draft 2 (Executive Committee)

***Reference Document: 03.17.05.03 Administrator Selection Policy – March 2005 Draft from 2004-05
Administrative Affairs Committee***

Communications:

Adjournment

The Senate Chairperson will ask for approval of the proposed Senate Agenda via e-mail, as there was no quorum of Executive Committee members present.

Adjournment