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Faculty Senate

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## FACULTY SENATE MINUTES FOR 30 March 2010 (Vol. XXXVIII, No. 14)

The 2009 – 2010 Faculty Senate minutes and other information are available on the Web at <http://www.eiu.edu/~FacSen> The Faculty Senate agenda is posted weekly on the Web, at McAfee Gymnasium 1102, and on the third-level bulletin board in Booth Library. Note: These minutes are not a complete verbatim transcript of the Senate meeting.

### **I. Call to order by Chair John Pommier at 2:00pm.** (Booth Library Conference Room)

Present: J. Best, A. Brownson, J. Coit, M. Fero, A. Methven, M. Mulvaney, R. Murray, J. Pommier, A. Rosenstein, J. Russell, D. Van Gunten, D. Viertel, A. White, M. Worthington. Excused: F. Mullins.

Absent: R. Murray, A. Boyd, S. Lambert

Guests: Peggy Hickox (School of Continuing Education), Janna Overstreet (SCE), Cathy Brachear (SCE), Jeanne Snyder (Associate Dean of LCBAS), Diane Hoadley (Dean of LCBAS), Emily Steele (DEN), Grant Sterling (CAA/Philosophy), James Tidwell (Journalism), Blair Lord (VPAA), Mary Herrington-Perry (VPAA's Office), Mary Anne Hanner (Dean of COS), Gary Aylesworth (Philosophy), Bonnie Irwin (Dean of Honors)

### **II. Approval of the Minutes of 9 March 2010**

Senator Brownson (Russell) moved to approve the minutes. Motion passed unanimously.

### **III. Announcements**

### **IV. Communications**

- a. Email of 10 March, from James Tidwell, re: FOIA
- b. Memorandum of 11 March, from Blair Lord, re: ACA Selection Committee
- c. Email of 12 March, from Les Hyder, re: Governor's proposed budget: 2011
- d. Email of 22 March, from Grant Sterling, re: Petitions
- e. Memo of 26 March from Roger Beck, re: Nominations and Elections
- f. Email of 28 March, from Charles Delman, re: Petitions
- g. Email of 28 March, from John Allison, re: Petitions
- h. Email of 29 March, from John Williems, re: Petitions
- i. Report of 29 March, from CUPB, re: FY09, FY10, FY11 budget
- j. Email of 30 March, from John Allison, re: Higher Education Funding Forum

### **V. Old Business**

#### **A. Committee Reports**

1. Executive Committee: no report. Executive Committee will meet with the President and Provost March 31, 2pm.

2. Nominations Committee: Senator Worthington handed out a list of faculty whose terms on appointed committees end in Spring 2010. Chair Pommier asked if the Nominations Committee had a timeline for submitting nominations to Senate. Worthington agreed to prepare a list of nominations by April 12.

Pommier referred to the communication from Roger Beck, and asked members of the nominations committee to respond. Worthington stated that there were complaints last year that people were being slighted, because they had been unsuccessful in several tries to be appointed to the same committee. She stated that the random way we select nominations for contested appointments suggests we assume all faculty are qualified, and the fact that its random suggest that there's a fairness to it. Vice Chair Van Gunten stated that the only people that complained were people that wanted on high profile committees and submitted their name to only that committee. She suggested if Senate were to choose among nominees, rather than randomly select them, it would only increase complaints. Worthington agreed that the proposed changes would open the door to the perception of that kind of favoritism. Senator Brownson noted that for the Student Standards board, there is a certain amount of training that's done, there is specialized training, for example concerning issues related to sexual assault cases, and to have that training is advantageous for the committee. Worthington stated that the committees might make that a requirement. Van Gunten stated that the concern is coming from the faculty, not from people on the committees, it is coming

from faculty who don't get what they want. Pommier stated that some committee chairs have in the past agreed with Beck, and noted that frequent rotation of committee members deprives committees of knowledgeable and experienced members. Worthington stated that Senate provides one person, not entire committees, and stated committees have a lot of leeway about who they appoint. Worthington stated that it is true that the person that we submit for the committee may not have the history, but that's part of the point. Van Gunten stated that people end up on these committees and don't leave now, limiting nominations based on qualifications would make the problem worse. Worthington I'm worried about getting more angry emails claiming that we are playing favorites, while now we can honestly say we are not playing favorites. Van Gunten noted that faculty can run for elective positions in addition to receiving nominations. Worthington stated that there may be other avenues for getting on committees. Pommier stated that he has talked to Gail Richard at student standards, and gotten communications in the past, asking if Senate could screen nominees for qualifications. Worthington state that Student Standards and other committees could make a list, so that then the screening would be coming from them. Van Gunten stated that Standards has a list they draw from for every hearing, they pick the people that they want for every single hearing. She stated that she is concerned that we are going to start vetting people and not letting these committees function the way they are supposed to function. Pommier stated Senate would not be telling committees what to do, that their concern is how people get appointed, they are saying they don't want committee members picked from a hat. Worthington stated that she was opposed to changing the system, but that if some committees wanted to make a list of qualifications they should do so. Van Gunten noted that if training would be required for a nomination then the training would have to be held prior to nomination. Best stated this concern came up at the Institutional Review Board, and suggested that, instead of doing random selection, Senate could just send the names of faculty who volunteered for the committee, and let the committees select nominees. This would make Faculty Senate just a clearinghouse. Worthington stated that would run the risk of similar complaints, committees might reappoint the same members every year. Van Gunten stated that it would shift the burden to the administration, and suggested Senate would get a lot of pushback from people who would say that we are letting the administration appoint whomever then want. Pommier said the only committee he has heard ask for qualifications for appointees are IRB and Student Standards. Rosenstein suggested the nominations could contain two sheets, one with qualifications for the nomination and a cover letter with no identifying information. The committee could number the cover letter, and select randomly among faculty who met the qualifications for the committee. Best asked who has the legal authority to put people on the committee, and noted that the IRB authority is federal. Van Gunten stated that the strength of the current process is that you don't have to have any specific knowledge, and the job of the Nominations Committee is to follow the process and represent faculty voices. Pommier asked if the Nominations Committee would consider the suggested changes. Van Gunten stated that the criticism of the process comes from a few faculty members who have not been able to get what they want. Worthington stated that she would see the point if we completely constructed these committees, but we put one person on there, and that person is supposed to be from the at-large campus community. She said that if Senate starts paring this down more people will find it difficult.

3. Elections Committee: Van Gunten stated that two technical issues with the election site had been dealt with, and noted the site has been rebuilt to make it more flexible, in case Senate needed to have fall elections. She noted the next Vice Chair will be able to run the election from their computer.

4. Faculty—Student Relations Committee: no report

5. Faculty—Staff Relations Committee: no report

6. Faculty Forum Committee: Pommier noted the communication from John Allison. He noted the joint Senate-UPI forum in Spring 2009, and that UPI had taken the lead, and asked if there was an interest on Senate in co-sponsoring the event. Recorder Coit stated that the program for the event would be a non-partisan panel discussion about the state's budget crisis, followed by a question and answer session. Proposed speakers include President Perry, Student Trustee Eric Wilber, Richard Wandling from Political Science, and Charles Delman representing UPI.

Pommier asked if the Faculty Forum Committee would and report at the April 6 meeting.

Rosenstein said it makes sense for us to have more information about what we'd be supporting,

what they intend to have on their agenda, and potentially speakers. White stated he would prefer to meet with Allison, and find out what's behind this, what's the whole picture, and stated he did not want the event to be a political rally. White said he would report back to the Senate April 6.

#### 7. Other Reports

a. Provost's Report: Lord stated that that Admitted Student Day was last Saturday, there were not quite as many admittees attending as last year, and stated Legacy Weekend went very well. Lord stated that he is seeking Senate nominees to the Achievement and Contribution Awards committee, which the President will select from in making an appointment.

Lord stated that there is no new information about the state budget. He said we know that we will have at least 6% reduction in state appropriation, and that deans and chairs have been working very hard on suggesting appropriate cuts. Lord stated that discussions have not yet begun regarding fiscal year 2012, and noted that Planning and Academic Affairs discuss a year and one half in the future at least, and will soon be considering searches for fiscal 2012.

Lord stated he had received one email with feedback on the Honors Dean, and has put together a memo asking Cynthia Nichols to approve a term appointment with an internal search. Lord stated he hoped to resolve that very shortly so we can have leadership for honors for the coming year.

Pommier called for volunteers to submit their names to serve on the ACA committee. Senator Rosenstein (White) moved to nominate David Viertel and Andy Methven to serve on the Achievement and Contribution Award Committee. Motion passed unanimously.

b. Budget Transparency Committee: no report.

c. Bylaws Committee: no report.

d. Awards Committee: no report.

e. Other. Pommier referenced a report from CUPB on EIU's fiscal 2009, 2010, and 2011 budget which was forwarded Monday. Pommier stated that he had asked if the picture would change significantly if the legislature granted universities the authority to take out short-term loans. The answer was that if EIU takes out a \$10,000,000 loan it would result in approximately \$450,000 in interest payments, so questions if you don't have to borrow don't borrow. Lord stated that although the State Senate passed a bill that would allow borrowing money, the House passed amendments to the bill that would have made it impossible to borrow money so the bill was withdrawn. Authority to borrow may be put on budget.

Pommier stated that the CUPB report shows existing savings achieved this semester, and stated that when you go to legislature they want to see what you are doing, and the savings shows that EIU is proactive. The report also notes that each 1% salary increases costs to EIU by \$1 million.

Senator Russell asked if EIU had received more dollars from the state. Lord referenced a DEN report that EIU recently received \$3 million, and for the fiscal year has received \$20.5 million out of the \$50.5 million appropriation, and also did get the money representing the promise of the MAP grant. The MAP grant funds didn't change the balance sheet but did help the checking account. Lord stated that EIU now has sufficient funds to make payroll through the month of May.

#### B. Other Old Business

Article 13 Bylaws: Pommier referenced the many communications sent to Senate on the issue. Senator Viertel (White) moved to take up bylaws from table. Motion passed unanimously.

Rosenstein asked, under the proposed bylaws how are we going to verify the signatures? She stated the method is not really in the bylaws, and stated she wanted to know the methods. Coit stated the Executive Committee had discussed checking each of the names to ensure all were Faculty (Unit A and chairs), and checking a percentage of the signatures by phone or similar means. Pommier stated that once verification occurred then the Executive Committee would discuss verification with the Senate, and explain to the method. Senator Viertel asked if we are still leaving that open then what does this change do for us. What are we achieving if we pass these bylaws? Rosenstein wondered if the Executive Committee should inform the Senate of the method they chose before verification occurred, or the Senate should be informed after verification and choose then whether or not to accept the report as specified in the bylaws. Van Gunten stated that verification was only an issue if the signatures were kept private, but if they were made public, there would be no need for verification. She asked if Senate agreed the signatures could be kept private if agreement could be reached on a one size fits all process for verification. Coit stated that even if signatures were made public there would still be a need for verification, because the Senate should not only rely on faculty checking a published list. Russell stated that the proposed bylaws specifically refer to

Section 7 of the State's FOIA as a rationale keeping the signatures exempt from inspection. She stated there was only one email that provided the verbiage from section 7, and the language of the section is very specific, and names do not seem to be included as information justifying exemption. While I know that some of the other emails talked about concern for retaliations, those are certainly considerations, if this referendum is going to speak to section 7 as reason I'm not sure from what I have seen that that's a feasible request. Rosenstein asked if although names were not included, if other contact information which might be on a petition would be considered work-related. Van Gunten asked if Rosenstein was suggesting that one's email account and phone number belongs to the state, but if you give your home number it would be personal. Rosenstein stated she would be concerned about the retaliation issue but stated she did not know that many hard-hearted or vengeful administrators, and stated that she hoped that in the spirit of fair play dissent would not be considered treason.

Senator Mulvaney asked if the bylaws were not approved and the constitution remained as it is, what would the process be. Van Gunten stated that it would be up to the Executive Committee to interpret the section, but that rather than leave it up to the Executive Committee the committee wanted guidance from the whole Senate, and wanted to avoid the procedures changing every time. Coit stated that the bylaws were written because the issues they address arose as the current petition was circulated. Mulvaney said the core issue was confidentiality, and asked if no revisions were made, would privacy be implied or would it have to be stated. Van Gunten stated the Executive Committee would have to decide.

Senator Best stated that our ignorance of the law doesn't entitle us to break it, and if we are bound by FOIA, the question is if FOIA would protect confidentiality. Coit stated that the bylaws were written after consulting not only the FOIA language, but also the State Records Act and Open Meetings Act, and after discussions with records officials and a FOIA representative in the State Attorney General's office. He stated that the email to which Russell referred tended to confuse two questions, whether the Senate should keep signatures private and whether their claim would prevail with the Attorney General or in court. He stated that in the view of the State Attorney General's office, there might be grounds for keeping signatures private, and since that possibility existed, Senate could act to exempt signatures in order to represent faculty voices within the system of shared governance. Coit stated that no one could guarantee exemption. Best stated that if the confidentiality is always asserted on the front end, it enables a very rough justice to be administered, it puts all authority in the hands of the Executive Committee, and could enable retaliation on the part of the Executive Committee, and could enable a kind of vigilantism. Best stated that the law as described might enable a kind of process where the Executive Committee might decide on a case by case basis if privacy is warranted and the basis of the privacy claim. Van Gunten asked if Best had language to offer? Best stated he did not, but would be willing to come up with additional language for the April 6 meeting. Senator Van Gunten (White) moved to table the bylaws until the April 6 meeting. Motion passed 11-2. Yes: Best, Brownson, Fero, Methven, Pommier, Rosenstein, Russell, Van Gunten, Viertel, White, Worthington. No: Coit, Mulvaney.

## **VI. New Business**

Continuing Education (.pptx available by separate link): Hine stated that offering courses off campus is part of the DNA of EIU, beginning at the latest in 1920, and noted that his mother earned her teaching certificate off campus in the 1930s. SCE currently offers programs that serve 9000 students, that's head count, and it counts credit and non-credit courses. Among the programs offered by SCE for the off-campus non traditional student are a Bachelor of Arts in General Studies; a degree completion program; off-campus courses; on-campus evening programs; cohort and sponsored programs; and summer courses.

Hine stated that he sees the SCE's Office of Academic and Professional Development as an academic support area, much like the graduate college. The degree completion and degree programs offered by OAPD are directed towards the adult student. Hine stated community colleges are used as a hub for course offerings. He stated that because of a directive from senior management SCE is trying to expand offerings in the Chicagoland area. SCE is trying to really increase the presence of Eastern up there because that's where the students are.

Hine stated that since 2007 the semester hours in SCE are going up. He noted that the School of Education supplies infrastructure to assist the programs. Head count is individuals actually enrolled in a given year, and includes both students taking courses and students not taking courses.

Hine discussed what factors drive the increase in enrollment. He stated that continuing education is one of the real growth areas of higher education. He stated that he started in higher end in 1973, when 1 of 4 students were nontraditional, now it is almost a 1-1 ratio. He stated that one of the the main reason

students enroll in SCE courses is cost of classes. Hine stated that when he started, business and industry paid college tuition, and that this is becoming less and less the case.

Hine noted that all faculty teaching off campus are selected and approved by the appropriate department and college. Nothing happens off campus that isn't approved by the department and college. He stated that the SCE is academically decentralized and administratively centralized, and it's what makes us the gold standard. If there's a question as to what a program is doing at Parkland the department is the one to talk about. Hine noted that adult students will typically complain to SCE if their course is not up to scratch, and sometimes SCE passes on those complaints to the department. Every SCE course is approved by CAA, and distance learning has to be approved special requirements by CAA. Hine noted one case in which a department chair cancelled a course after it had been subscribed.

Hine stated that EIU's first online course was offered in 1999. The SCE has been approved by the state for three online degree programs, and Hine stated SCE's job is monitoring, student support, and reporting for those programs.

Hine stated that the EIU summer session will be coordinated by a committee established by the Provost and chaired by Jeff Cross, and SCE is represented by Beth Craig and Pam Collins. He stated that the Summer School Coordinating Council is not all that different from past practice, when Bill Weber would have periodic meetings with the deans.

Coit asked if the headcounts could be broken down by college. Hine stated he would provide the information.

Pommier asked what steps have been taken to prevent on-campus students from enrolling in the courses online? Hine stated that SCE is investigating how best to deal with that issue. He stated that some departments on campus want their students to take distance learning, some don't care whether students take online courses, and some don't want their students in online courses. Lord stated that Banner restrictions can allow for some sorting but can't allow all that we would like, and the intent is to put some clear messages in the course schedule and course directory that make clear what the target audience of different courses are.

Overstreet stated that SCE courses come up in the registration program with a message describing the target audience, but when the student is looking at the screen the message is typically too far to the right to be seen. She stated that the Provosts' office is working with Banner to pull the message over but that task is trickier than any of us thought. She stated that when an on-campus student registers for an online course, and when their department does not want them to register, we have to contact the student, we are doing it, and we do it every semester.

Pommier asked Hine to clarify his statement that 2/3 of students are from Chicago and collar counties. Hine stated he was referring to the state's population, and that the vast majority of current students we serve are down-state. Hine stated that down-state is a zero-sum game, and there's not going to be any growth. Hine stated that colleges and universities in northern Illinois are competing down-state, and referenced an advertisement in the Indiana State University student newspaper from Governor's State. Coit asked about the term "zero-sum." Hine replied he meant there is no population growth downstate..

Pommier noted that Western Illinois began offering online courses in the Quad Cities, and demand was so high WIU is now building a campus there. Hine stated that SCE doesn't have a geographic area equivalent. He noted that Parkland College is a hub, it has roughly 1000 EIU students every semester, and stated that Danville and Decatur have many SCE students.

## **VII. Adjournment at 3:52**

### **Future Agenda items:**

Faculty Development, Trustees

Respectfully submitted,

Jonathan Coit  
April 3, 2010