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Faculty Senate

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FACULTY SENATE MINUTES

14 October 2014 meeting

(The 2014-2015 Faculty Senate agendas, minutes, and other information are available on the Web at: <http://castle.eiu.edu/facsen/>)

* Note: These minutes are not a complete verbatim transcript of the Senate meeting. (J. Oliver)

I. **Call to Order by Chair Sterling at 2:00 pm (Booth Library, Room 4440)**

Present: J. Ashley, T. Burns, J. Conwell, J. Ludlow, J. Ochwa-Echel, J. Oliver, J. Robertson, A. Rosenstein, S. Scher, G. Sterling, D. Viertel

Guests: Provost Lord (AA), Harold Ornes (COS), Ryan Siegel (Staff Senate), Michael Menze (BIO), D. Hernandez (DEN)

II. **Approval of Minutes of 07 October 2014**

Minutes from 07 October 2014 Senate meeting were approved. Motion made by Senator Conwell and seconded by Senator Viertel. (Abstained = Senators Ashley & Robertson)

III. **Communications** – similar to last meeting – no new information received for these since previous meeting

- a. 10/02/14 CAA Minutes
- b. UIUC Response to SUCSS Statement of Concern, plus SC13.06 and IBHE-FAC letter.
- c. E-mail from Acting VPBA McCann, Re:SUCSS
- d. E-mail from Tom Foster (SIUE), Re:SUCSS
- e. E-mail from Phillip Beverly (CSU FacSen), Re:CSU De-Recognition
- f. Letter from Senator Conwell, Re: Faculty Staffing Data Request
- g. EIU Open Access Policy Draft Recommendation
- h. Proposed revisions to Faculty Senate Constitution and By-Laws

IV. **Presentation to the Senate:** Senator Todd Bruns: Open Access Policy Recommendations

Senator Todd Bruns – The Keep document will be distributed – info on our Institutional Repository.

Bruns – the map (on screen) shows what docs from the Keep are being downloaded today around the world. Our IR makes scholarly works available to the global community. We are a member of the Digital Commons Network - 350 institutions around the world. Our authors and institution show up on this network. This helps faculty find research collaborators. Valuable in marketing our institution. Example – Steve Daniels and Bio-Technology.

Bruns – last year the Illinois General Assembly passed the Open Access Law. Senator Biss-former mathematician – first discipline to go completely ‘open-access’. Every institution must create task force to determine how to promote open access of information on the campus. EIU is tasked with this, and EIU is committed to open access. Task force has met and drafted this policy before you.

Bruns – policy reflects our desire/need to be proactive on this issue by establishing a policy that fits with our contract as well. Meets state and contract obligations. We don’t want to rely on state for this.

Menze - we appreciate Todd’s efforts. Keep in mind that the IR and the policy are not necessarily connected, but the IR is an excellent platform-instrument to share scholarly info and help us comply with the law. The Keep was established first, followed by the Illinois law.

Ludlow- is it a potential eventuality that ‘the Keep’ will become outdated? The Keep is mentioned in the policy – should we use more generic terms in case a new technology is developed in the future?

Bruns – not sure that is necessary. 2nd page – first 4 sentences – ‘you can deposit your work in the Keep or elsewhere’. We encourage full dissemination – with the Keep and other outlets.

Menze – the Keep is also controlled by EIU. Servers might change in the future.

Bruns – the Keep’s platform comes from the vendor, not EIU. We don’t provide infrastructure.

Menze –but vendor changes, we don't have to change name of the Keep.

Bruns – if we called it Digital Commons at EIU, we might need to change the name or use more generic language to describe Echel- what do you mean by non-exclusive rights?

Bruns – if you deposit work in the repository, you can still post scholarly work in other places.

Scher – with logistics, if journal requires copyright to them, how does that apply to this?

Menze – there is an 'opt out' clause for this type of situation with publishers. As long as state doesn't change legislation, there should be no conflict.

Bruns – we want to protect intellectual property belonging to faculty. 80% of publishers will allow a version of your work to be posted in open access repositories, but not necessarily the publisher's .pdf. If this doesn't work with the faculty, they can use the opt-out clause of the policy.

Bruns – also, the policy does say that within 3 months the author will submit a copy of the article to the Keep. A good faith effort from faculty is expected. This is to encourage faculty to keep contributing.

Ashley - so does this apply to books or just articles?

Bruns – books as well.

Bruns – we are trying to increase awareness and encourage faculty to get involved and add works

Sterling – so in the scope & waiver opt-out paragraph – there is a sentence that might be in a strange place – might be better if this sentence is moved somewhere else. Just an editing point to consider for more clarification.

Sterling – related question to Scher's - so does policy apply to previous articles? – does this mean that I go back to what I have published in the past and submit those articles within 3 months?

Bruns – intention was to include previous works – optional. We are looking from this point forward – not necessarily in the past. But research sometimes has a 2nd life – resulting in unexpected positive outcomes. Older research in our country might become relevant in a different, developing country.

Sterling – that sentence sounds like it refers to all past scholarly articles and publications

Bruns – note - this policy was developed from best practices from other reputable institutions

Ashley – should we scan hard copies of article and then send to you? Or you will scan it?

Bruns – we will scan for you

Bruns – this brings up the fact that we have a suite of services in the library to help your scholarly projects – providing librarians on copyright, intellectual property, predatory publishers, etc

Rosenstein – what if we were a co-author with someone not at EIU? Who has copyright? Who has permission? What do we do in this situation?

Bruns – when you deposit, there is an initial form – confirming that this is your work and you have permission from other co-authors to submit to the repository. This needs to be worked out. Note - we have not received a take-down notice from another publisher or author after 3 years.

Rosenstein – what happens if a co-author says no? Or faculty don't meet the 3 months time-table?

Bruns – the 'opt-out' clause is not an absolute, it can be temporary. At times you need more time to negotiate with a co-author, and then can come with the necessary documents.

Menze – there is no punishment –it is a goal/recommendation.

Rosenstein – the policy sounds kind of ominous...

Bruns – 80% of EIU faculty ignore the repository, probably due to busy schedules. We ask for CVs in this case. We have 122 faculty participating –I am contacting more faculty. We want to move forward – empowering faculty to be more engaged in this system. With no policy, faculty will not act.

Menze – we should also not lose track that we are responding to a state law.

Ashley - so just send you a copy of your vitae?

Bruns – send it to me. I review it and determine what can be posted. The URL is thekeep@eiu.edu

Ludlow – will you also help negotiate with unhelpful publishers?

Bruns – yes, we will do that

Rosenstein – 'so EIU should develop and monitor mechanisms' - who will do this?

Bruns – that currently is me.

Rosenstein – I am still a little worried about cross-collaboration outside of EIU.

Menze – usually scholarly work will show up in other open access repositories as well, where your co-authors work.

Rosenstein – what about conference proceedings? Newsletters? Etc.

Bruns – if you want to post it, you can. Two platforms available to faculty - 'Selected works' is your faculty page. 'The Keep' is at the University-level. We will screen the Keep – the faculty member screens their own page. A place for different types of creative/scholarly works.

Bruns – I would like you to make a motion to approve this policy and in the near future an open-access resolution. To encourage other faculty to participate in the system.

O-Echel – so what would be the purpose of the resolution?

Bruns – to put this in stronger terms than the policy does. Faculty Senate communicating that this is a really good idea – an strong encouragement – not necessarily a mandate.

Rosenstein – do we need a motion?

Ludlow – with suggested revisions – move the sentence already mentioned to the new location – to the bottom of the section immediately above it. I think it sends a mixed message where it currently is.

Bruns – I am not the chair of the committee so I can't officially approve that, but I don't anticipate a concern over this.

Menze – I also don't anticipate a problem with this.

Conwell – I agree, clarification might be needed for those who reference this in the future.

Bruns – I don't see a problem with this suggested revision.

Viertel – I want to make a motion to accept the policy as amended.

Robertson – quick question- what about royalties? It is copyrighted work by composers. I received public money to make this finished project. What should be done in this situation?

Sterling – I would use opt out clause in this situation.

Bruns – this is a good example of why the opt out clause is included.

Robertson – can you partially opt in or opt out depending on the project?

Bruns – yes, that is possible. In this type of situation, you can direct viewers/users to where they can buy the item that you are describing.

Conwell – I 2nd the motion

Sterling – by acclamation - all in favor? – (unanimous)

V. Old Business

A. Committee Reports:

1. Executive =

Oliver – Faculty Senate website has been updated. Committee information has been updated.

Sterling – as member of CUPB I attended the meeting. Changes in faculty #s was a question brought up. Different data exists for this – total faculty – down by 27 (5%). Down by 25 Unit A, 14 Unit B faculty.

Lord – one set of #s came from my office, one came from a different office. The question that I asked Billie Rawlings is 'how many faculty did we have when we started classes in FA 13 vs FA 14?' – it does not line up with the fiscal year but it lines up with the academic year." One can generate a variety of different #s when asking this question. All I can do is share the AA numbers from our office.

Sterling – I was happy to see these #s because rumors had us at 100+ faculty down. Since I serve on CUPB, I will continue to provide updates on this discussion. Note - The November CUPB meeting is after our discussion with the President.

Rosenstein – do we know how many just left the university, beyond retirements?

Sterling – 17 resignations. Approx 10 unit B positions were not renewed. A few became chairs.

2. Nominations =

Rosenstein – a request from Lib Adv Board (L.A.B.) for 4 candidates. Mostly CEPS candidates needed. We had 1 candidate from a previous round of nominations (Hasan Mavi) accept to fill remaining 2 years. No other candidates from CEPS, so I have contacted Dean Jackman to make a call for nominations/volunteers. The other Lib position was Darrin Hendrickson – now a chair – needs to be replaced. We will contact other candidates from previous year to see what their interest is - William Slough and Dan Sheran. William can do it. I want to put forward Dr. Mavi's name for CEPS position. I would like to put forward Dr. Slough's name for COS position.

Ashley – nominations come from Dean Jackman? Dean Jackman should send out call, and if they are interested they should contact us directly, not through Dean Jackman.

Rosenstein – I would like to make a motion to nominate Drs Mavi and Slough for L.A.B and recruit other candidates for remaining vacancies.

Ashley – I 2nd the motion

Sterling - all in favor? – (unanimous)

Rosenstein – 1 other question – who should Dr. Sharon contact about the Tuition and Fees Review committee?

Any ideas?

Lord- it is a committee of student government – have him contact that office.

3. Elections =

Ludlow – 12 positions for Special Fall Elections. 4 from CEPS, 4 from COS, 2 from BUS, 2 at large. After sending out calls for candidacy – I have received 1 response. So I have been discussing it with others. Feedback – why so few candidates? = where we need candidates is where we are low on faculty and current faculty are already overloaded. Also – an unwillingness to serve based on low faculty morale? Faculty feeling overwhelmed?

Ashley - Junior faculty don't want to get too involved?

Ludlow - Ratio of Unit A vs Unit B – Unit B don't have service commitments?

Rosenstein – also – based on bylaws, aren't there certain committees that you cannot serve on because you already serve on a different committee?

Ludlow – those numbers are small though (maybe 30 candidates)

Ashley – I might suggest asking council of chairs to send out a call for candidates. Maybe faculty are more likely to read email from the chair?

Conwell – and announce in a departmental meeting

Sterling – we could ask the chairs to encourage faculty to run – reminder = according to senate bylaws, if we have fewer than 2 nominations, the Senate will attempt to secure additional nominees. We as a senate need to solve this issue for each open position (find candidates)

Bruns – can we change the policy that restricts multi-committee service? (the 5 specific committees)

Ludlow – we can't change it because it is embedding within the bylaws of each of those committees, but we could suggest it to those committees – but bylaws would need to change

Bruns – I was on CFR and Senate and I was fine

Ashley – we are at a new point in time – we can't staff committees versus having too many candidates

Scher – but this is still a good policy – it distributes the 'power' across the faculty – not with a select few

Ludlow – what about the possibility of saying 'it is ok' to have a vacancy this year for some of these committees?

Rosenstein – it depends on the bylaws. Some committees can't convene without proper representation

Ashley – let's try to exhaust all options before we consider that

Conwell – some committees need full population of committees, even if they don't meet regularly

Brun – but we still have a problem – we can't get colleagues to serve

Conwell – last Spring the Faculty Senate 'beat the bushes' for candidates. It might be time to do that again.

Scher – and offering to sign petitions and offer support to possible candidates. Smoothing the channel can help remove barriers to possible candidates.

Sterling – and technically we are allowed to add people to the ballot without them filling out the petition. The bylaws do allow for this. If we can't get people we can nominate them without consent.

Conwell – to Scher – yes, for new faculty who do not know as many people, this can be challenging to get 10 signatures. We need to talk to the junior faculty and encourage them to serve.

Rosenstein – remind me - which are the committees where you can't serve on more than 1?

Sterling – listed in the bylaws. CAA, CGS, COTE, CFR, Faculty Senate

Sterling – let's ask the chairs to find candidates and senators will find candidates as well

Ludlow – we will need at least a few more weeks to finalize list of candidates

O-Echel – I don't think I received the correct forms from the Deans

Conwell – you sent this to the Deans? But not to the faculty in general?

Ludlow – I sent the information to the Deans because the position vacancies were college specific

O-Echel – I did not see the positions, and other faculty asked me about the positions

Rosenstein – what is the formal process? What are the certain parameters for each position.

Ludlow – send names of candidates to me

Rosenstein – for CFR – please contact Jennifer Stingfellow

Sterling – so add 3 weeks to the deadline and all of us find candidates for the positions

Rosenstein – does Admissions Appeal Committee have to be tenured?

Ludlow – no

Rosenstein – and this is part of a Special Elections process

Sterling - correct

4. Faculty-Student relations = no report

5. Faculty-Staff relations =

Ochwa-Echel – we discussed recruitment suggestions. They want to invite director of admissions. Parking issues discussed. Budget concerns discussed as well. Why is it not uploaded at this point in the semester?

6. Awards =

Robertson – nominations for Mendez award due today. 6 application packets submitted.

Robertson – there was a power outage yesterday on campus – should the deadline be extended?

Sterling – no, I don't think we need to do that.

Robertson – also, regarding the bylaws for this award - no restrictions in years of service of candidates, correct? No window of time they have to be on campus, right?

Sterling – correct – although unlikely that new faculty member would receive the award but it could happen

Scher – explicit criteria is service to the university and nation at large. Mendez has specific service in these areas.

7. Faculty Forum =

Bruns - Forum this week – Wed – 4:30 - Sullivan Room – Democratic candidate. We reached out to both parties. Also a Forum for Oct 29th – Open Access policy. Policy will have progressed to BOT by then already. Also Booth Services awareness as well. Also want ideas/feedback from faculty on future forum ideas/topics. Email topics to me.

8. Budget transparency

Ashley - no report but will convene soon

9. Constitution/Bylaws = Discussion of proposals

Sterling – I have sent you proposals on revisions to the bylaws

Scher – but the docs sent to the FAC SEN are not the finalized versions

Sterling – note - the file I sent were only my suggestions, not Scher's suggestions

Scher – the file I will send you is a comparison of the 'old versus the new' and 'why' the changes are being proposed. We need to decide on the changes/edits that we all agree with. Some are significant, some are not. How do you want to proceed?

Sterling – we don't have time to look at every change in this meeting. We could open the floor to the Senators to discuss specific changes, or you could summarize key changes.

Rosenstein – how many articles have been changed? How many should we review today? Or before next meeting?

Scher – suggestion - Grant and I will group proposed changes in a logical way before we dive in. For example- the preamble is a major rewrite but it has the same overall meaning as the prior version. We can review one section at a time. We can send that out between now and our next meeting.

Rosenstein – then we would know which sections we would focus on at the next meeting.

Sterling – there are only a few significant changes. Most of the content has not changed.

Ludlow – could we have a copy of this document? That would be helpful in this process.

Scher – yes, I will send you this document.

Sterling – an example of a change – the FAC SEN will meet twice per month – not completely accurate (what about August? Or December?) – we only meet once – so now 'every two weeks' is mentioned in the document rather than twice per month. More accurate with what we are actually doing.

Scher – some of this is minor language/terminology changes – organizational name changes.

Scher – I will send this doc to Grant after the meeting. I will group relevant units to discuss. It will simplify the balloting processes as we will present this to the faculty. The constitution first and then the bylaws next.

Sterling – at some point we will vote on these, then to the faculty, then to the president, then to the BOT. We need time in between each stage. Probably finalized during the Spring 2015 semester.

Scher – maybe corresponding with the Spring 2015 elections?

Sterling – that would be ideal

10. Committee on Committees =

11. Other Reports:

a. Provost's Report – public 'thanks' to Todd Bruns for his work on 'The Keep'. We are well ahead of the curve on this issue. Many Illinois institutions don't have this in place. NCA visit upcoming next week. A time for them to visit with the Faculty Senate has been scheduled during your regular meeting time next week. You are encouraged to participate. Elaborate-dynamic schedule for the NCA visit. It could change on the fly. Accreditation process is mostly consultative and review-based.

Conwell – any word on budgets?

Lord – Mr. McCann mentioned perhaps by the middle of this week.

Conwell – is Mr. McCann doing budgets differently this year?

Lord – how a budget is loaded is different this year. Better to ask them about the process.

Conwell – what about a search for a new VP of BUS Affairs?

Lord- I have not heard of it at this point.

b. Other –

B. Other Old Business: CSU Faculty Senate Issue

Sterling - CSU Board is demanding re-election of faculty senate to re-elect members from terms of old constitution, or past information regarding past election protocol. An ongoing controversy on that campus.

Conwell – I presume that since you have sent our email out to the CSU Board, CSU did not recognize our email.

Sterling – yes, our email was ignored. No recognition of our email.

Scher – what did you send to the CSU board?

Sterling – I sent the letter of concern to the CSU board and asked them why they have taken these actions

Conwell – who did you send the communication to?

Sterling – no direct contact info provided. ‘Address all inquiries’ to an address. So I sent it to the generic address provided.

Rosenstein – could you send us a copy of that letter?

Sterling – yes, I will send it to you.

Conwell – since nothing has happened yet, should we now send a resolution to the Governor to disband CSU BOT?

Rosenstein – that might be too extreme. What about mediation? In the spirit of shared governance.

Ashley – but it’s a history of questionable decisions by the CSU Board and CSU administration.

Rosenstein – but what is our role in that situation (the EIU Faculty Senate)? It’s a bad mark for all state universities in Illinois and we want to express that to them, but what is our role?

Ashley – we might as well take extreme steps – probably will be ignored anyway

Rosenstein – what about the state level council of faculty senates? Taking a united initiative. We also have a good relationship with our administrators as well. We don’t want to potentially damage that.

Ludlow – I disagree – two concerns – I am a fan of mediation, if the CSU Board is requiring new Fac Sen with old constitution, we may be past that point for friendly mediation. We have an investment in shared governance. We need to stand up for the principles of shared governance. The governor needs to know we are his constituents, both as a voter and an academic. It’s an issue where we are all connected. We shouldn’t not act because we have a good relationship with our administration and BOT.

Rosenstein – I meant that maybe this situation has gone beyond reason. This issue might be beyond policy. It’s gotten personal and a larger body is being affected by this. We don’t have all of the information, do we? We are getting info from both sides. The rules seem to be changing. We don’t know the full story, do we?

Ashley – but who is in charge of the faculty? Faculty Senate or the Board.

Conwell – we want to be proactive on this so that no other Boards respond in a similar way. We don’t want retaliation by the CSU Board on the CSU faculty. And the CSU Board wants to know who voted for the changes.

Bruns – atmosphere has become poisonous – this looks like a silencing...a silencing of the ‘critics...it would be ideal if all admins and faculty from other Illinois institutions send letters of support to CSU and a warning to CSU Board that their actions are not supportive of shared governance

Conwell – I was at the meeting, at the time it was going to be discussed at individual campuses first – but more is needed

Ashley – what about coordinating efforts between other Illinois campuses?

Conwell – one problem is that the Board of Boards only meets once per semester.

Sterling – they don’t have regularly scheduled meetings

Ashley – it would be stronger coming from multiple boards

Conwell – that is what occurred with the SUCSS issue

Ochwa-Echel – question - have you contacted the leaders of the disbanded senate and what type of support would they like from us?

Sterling – I did contact CSU faculty senate president - they would welcome any support from us, including letter to Quinn recommending CSU board to be disbanded. Anything that can be done will be appreciated. I have received emails from other faculty senates as well. One of them has acted, most are still in the process.

Ochwa-Echel – it would have been nice for them to identify exactly what they need in this situation so we can coordinate

Ashley – sounds like they will take anything. Whatever we are willing to do.

Ochwa-Echel – but that is the problem - that lacks coordination of effort – it may not be effective

Conwell – but the buck stops with Quinn. He is not an academic. He needs to be reminded about how a board should act.

Ochwa-Echel – I understand, but we assume that other senates might do that. If we want coordination, we need to know what other faculty senates will do.

Scher – next meeting for Board of Boards?

Sterling – next semester, no regularly scheduled meeting
Ashley – can you ask other senates what they are doing so we can get on the same page?
Conwell – another problem – all others might be willing to wait until someone acts. We are willing to act first. Actions need to be directed to Quinn, not the CSU Board.
Bruns – this something we need to consider - dissolving the CSU faculty senate is a huge concern.
Conwell – we need to act so that this does not become a trend and other universities start doing this.
Rosenstein – I agree. I would feel better if this is a joint letter – in the spirit of shared governance.
Ludlow – this letter also states that the AAUP sent a letter to the board demanding that they rescind their decision. Maybe this is a two-step process? Step 1 - Maybe we should write a similar letter as this as well. Step 2 - We are also prepared to collaborate with other Illinois institutions with stronger actions.
Conwell – regardless of other institutions, I will bring up a resolution here to contact the Governor – even if this is only coming from EIU – I feel that strongly about this issue.
Scher – it seems like there was another issue that caused a letter to be sent to Gov Quinn. I think this type of strategy may be ineffective. Quinn might not ever see the letter. He is focused on his campaign.
Ashley – but have of his staff are EIU graduates
Ludlow – but a joint letter or resolution plus media attention in response might cause a possible reaction from CSU board.
Bruns – could we make a motion and gauge what other campuses are doing right now compared to where we are?
Rosenstein – I make a motion to gauge what other universities are doing on this?
Bruns – considering 11 other institutions – if all 11 FAC SENS do this, it could be much more effective – we need to coordinate our efforts
Conwell – but our communication must be specific – we need to propose specific actions – dissolving the CSU board – and using Chicago media
Ludlow – and using local media
Rosenstein – but not all fac sen are against all boards – is that the message we are sending? I don't want to send that message.
Conwell – no, all Fac Sens sending a message to the CSU board
Robertson – inaction is passive acceptance of the CSU board's behavior. I would support if we made an initial statement and sent it rather than waiting. If the 11 other institutions want to join, great.
Rosenstein – who will author this resolution?
Conwell – I have one in mind, I am serious enough about this to get this done today.
Ashley – how about including previous issues/problems with the CSU board in this letter/resolution?
Conwell – there is a history there.
Ashley – maybe including additional points of rationale with strengthen the letter
Sterling – at the very least...it can be stated that this is 'the latest in a history of problems with the CSU board'
Sterling – suggestion – Senator Conwell can write resolution. I will send it to all of you for review and suggested revisions, so by the next meeting we can move on it.
Conwell – can we also send it to other 11 Fac Sens for their review?
Rosenstein – but not send it until after it has been reviewed/editing/finalized? There are 5 senators not here today.
Ashley – should we wait to act on this until after the upcoming gubernatorial election? For Quinn's sake?
Sterling – we are now without a quorum so no additional business or motions will occur

VI. New Business

A. Future Agenda:

*October 21st – meet with NCA reps – 3:10 – Blair 3108 - Conference Room (*Not an official Faculty Sen meeting)
November 4 - President Perry
November 18 - Finalize Constitution and By-Laws Revisions
December 2 - Intercollegiate Athletics Board

B. Other New Business –

VII. Adjournment – Meeting adjourned at 4:00 pm.

Submitted by Senator J. Oliver