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FACULTY SENATE MINUTES FOR APRIL 4, 2000 (Vol. xxix, No. 25)

The 1999-2000 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 2504 Buzzard, and at 315K Coleman.

- I. **Call to order by Bonnie Irwin at 2:05 p.m. (2504 Buzzard Building)**
Present: J. Allison, R. Benedict, J. Best, G. Canivez, J. Coons, B. Fischer, N. Greer, B. Irwin, G. Lockart, N. Marlow, J. Tidwell, M. Toosi, B. Young, G. Kelly. Excused: C. Eberly, P. Fewell. Guests: A. Brownson, M. Buerskins, K. Kohanzo, J. Niziolkiewicz.
- II. **Approval of the minutes of March 28, 2000**
Motion (Allison/Greer) to approve the minutes of March 28, 2000.
Yes: Allison, Benedict, Best, Canivez, Fischer, Greer, Irwin, Lockart, Marlow, Tidwell, Toosi. Abstentions: Coons.
- III. **Communications**
 - A. **Library Advisory Board minutes, 1 March 2000.**
Discussion of need for Archivist. Faculty survey will be distributed before end of semester. Library plans to continue subscription to Lexis-Nexis. Renovation proceeds on schedule.
 - B. **International Programs Advisory Committee minutes, 23 March 2000.**
CEPS is developing short-term study abroad to the Thomas Jefferson Institute in Mexico City. Provost has allocated funding for additional staff in international programs. Dr. Kirk and Dr. Murphy are getting to know AIS officers. Faculty are urged to participate in International Week (April 1-8). Ms. Songer and Ms. Beauchamp, English, have been working with students on off-campus programs, writing comp. preparation, and international teas. Draft mission statement and 2001-02 planning discussed.
 - C. **Council on Academic Affairs minutes, 23 March 2000.**
Art History option within Art major approved. New course, ART 3681, Contemporary Art, approved.
 - D. **E-mail response from John Beabout, Radio-TV Center, regarding WEIU-FM, 29 March 2000.**
Assures senators that the "Back to Basics" is a draft plan. He has every intention of gathering campus input. Door is always open for input and comments. Objective is to "insure the long-term viability of all components of our operation" for both today's students and tomorrow's.
 - E. **"Back to Basics: Opening Doors and Building Community," plan for WEIU.**
7 goals laid out. Vision statement: "the Radio and Television Center will serve as an ethical, multichannel electronic gatekeeper and content producer; will encourage and facilitate electronic networking of community resources; will foster, strengthen and preserve community relationships to meet the public welfare and necessity; and will function as a model for volunteerism and public stewardship."
 - F. **Memo from Elaine Fine, Classical Music Director, WEIU-FM, 29 March 2000.**
WEIU-FM has a valuable and unique character. We provide alternatives to "competing" classical music stations. Exhaustive jazz library. Cost effective operation. Believes consultant's and administration's evaluation of WEIU-FM has been unfair.
 - G. **"An Integral Part of the Plan" letter regarding WEIU-FM, 29 March 2000.**
Response by WEIU-FM staff to "Back to Basics" plan. Communication problems between managers and staff. Need for an all-member meeting each week. Absence of trust between management and staff. Staff believe they are treated in a manner that "leaves them feeling ineffective and rejected." Great turnover in management and staff over the last 5 years.
 - H. **Copies of additional pages in WEIU-FM petition, 3 April 2000.**
2300+ signatures have been collected.
 - I. **E-mail copied from Barbara Frahm, parent, regarding TRS, 29 March 2000.**
Ms. Frahm has informed many members of Parent's Club of faculty concerns over TRS. Has requested that Chair Irwin follow up with information about our actions this semester.
 - J. **E-mail from Brian Poulter, Journalism, regarding Versity.com and Student Conduct code, 30 March 2000.**
Can we make participation in note-taking services, such as Versity.com, part of the revisions to the conduct code? Yale and other universities have done so.
 - K. **E-mail from Barb Walker, Health Studies, regarding faculty parking during special events, 30 March 2000.**
Expresses concern over faculty/staff lots being used as parking sites for special events. At least a portion of faculty lots should remain reserved for faculty when classes are in session. Requests that the Parking Advisory Cttee. take this up.
 - L. **Memo from Dave Henard, Assoc. VP, Information Technology Services, regarding Senate discussion of LANDesk (3-21-00), 30 March 2000.**
Some statements in senate minutes were false; others were inaccurate. No one from ITS intended to mislead faculty. LANDesk options are not easily changed; if they were, an audit trail would be left behind. Impossible to

present all features of a software package during a brief demonstration. Suggestions about what "could happen" are irrelevant, since all manner of things could happen secretly with monitoring software that hackers could obtain for little or no cost. LANDesk actually helps monitor use of "unauthorized" packages, allowing ITS to protect privacy of users and integrity of their data. Senate minutes do not represent faculty well when there are misstatements. "We all have a moral responsibility to deal fairly with our colleagues."

M. E-mail from Robert Augustine, Dean, Graduate School, regarding sabbatical CGS replacement for Charles Costa, Biological Sciences, 30 March 2000.

N. E-mail from Tim Mills, Business, regarding closing of 7th Street, 30 March 2000.

Has the senate discussed or will they the consequences of closing Seventh Street? Does anyone oppose this?

O. E-mail from John Kilgore, English, regarding privacy rights on computers, 31 March 2000.

Urges the senate to carry this issue forward to establishing a "written policy defining the limits of management and employee prerogatives in this area [personal computer use]." Attaches some preliminary draft language. What is needed is "a prudent and timely affirmation of basic decency and common sense—a promise that [the administration] will not [snoop] even though they can."

P. Fact sheet received from President Surles, 31 March 2000.

Statistics that the President uses when speaking to legislature and IBHE.

Q. Copies of thank-you letters from Bonnie Irwin, Faculty Senate, to Jill Nilsen, Lou Hencken, Frank Hohengarten, 3 April 2000. Copy of thank-you letter to Mickey Carroll, Academic Testing for counting the election ballots.

R. Phone communication from Dr. Jill Nilsen, Acting VPER, regarding open forum on Radio-TV Center, 4 April 2000.

Encourages campus community to attend the open forum on the Radio-TV Center, 1:30 PM, Thursday, April 6.

S. Senator James Tidwell has a copy of the consultant's report for WEIU.

IV. Old Business

A. Revisions in Student Conduct Code. Keith Kohanzo and Ann Brownson presented the draft of the revised Student Conduct Code. They incorporated the suggestions from Faculty Senate. They tried to list the behavioral standards in the affirmative and to incorporate the suggestion from Faculty Senate to incorporate the importance of community throughout the Code. Under each of the five standards of student conduct they have listed specific violations of the standard. The rest of the Code creates the system and outlines the procedures. The second Faculty Senate recommendation was for greater penalties. Under the prior Code the maximum was \$50; the proposed Code creates a maximum of \$200. Faculty Senate suggested that parents be notified. The University can legally notify parents if the student is under 21 and dependent. It is the University's practice to do so if the student's enrollment is in jeopardy. Otherwise, they do not. They are also under the law allowed to notify parents if the student is involved in alcohol or drug misuse. The Faculty Senate also recommended a placement of conduct violations in the student's academic record. Right now they do not do so. The change is that only the most serious actions would be recorded but only during the time it was in effect. They also addressed the Senate's technology concerns with a reference to the University's acceptable use policy. They removed the statement that related to the provisions not to be regarded as contractual. They also made some changes in the membership of the judicial boards. This Code eliminates the Student Judicial Board, but its functions will be taken by the students on the University Judicial Board. Currently the Judicial Board consists of a pool of 18 faculty and 15 students; a quorum is five. The proposal calls for 12 faculty, 12 students, and 6 staff in the pool. They are providing open meetings next week for the campus community to discuss the proposal; the posters for these meetings will be displayed soon. The revised Code proposal will be available on the Web site. Questions and discussion followed:

- I have two concerns. If our students are adults, we need to treat them as adults. They should understand the laws of the land. Most of us when we are making rules try to save ourselves first. If a student is abusing drugs or alcohol they are in trouble and they need help. In response, it was noted that the courts in the 1960s determined that universities could set and enforce standards for students that are higher than for the general public. It is our policy that if a student is using marijuana, the parents are notified because their enrollment is in jeopardy. The student is referred to an educational program as well. They may also be subject to arrest. However, that arrest is not part of our judicial process.
- The committee revising the Code has students on it. The one we are using now (which is 23 years old) was also created with student input.
- What about Brian Poulter's suggestions regarding Varsity.com? We need to look at what other universities have done. Private universities have more leeway than public ones do. It is also a matter of educating students about the inappropriate uses of the internet.
- Although the University can have higher standards than the law of the land, we cannot have standards that violate the constitution.
- We may need to have a campus conversation about note-taking web sites.

- What other major changes were there in the Code? This is the first time that there are definitions in the Code. In Standard 5 we tried to articulate those things under the purview of the University and those that are not. We now make it clear to the students that faculty members can impose sanctions for academic misconduct.
- We noted back in September that there had been a great increase in the number of Judicial Board hearings for academic misconduct. Will they increase more under this Code? I do not believe that the Code itself will affect academic misconduct reports. The reason for that increase is that we are encouraging more reports from faculty. In reality this increase is a positive sign.

Kohanzo noted that he wants final comments by April 24, 2000.

B. Committee Reports

1. Executive Committee. We summarized the high points of our report from the faculty forum. Dean Ivarie has gone over it with his Administrative Council and will present it to the Council of Deans. It will also be taken to the Council of Chairs.
 - a. Roundtable Planning Committee. The President wants to put together a planning committee to talk about things we need Roundtables on and to plan them.

Faculty interested in serving on a committee to plan the Roundtables should contact Bonnie Irwin <cfbdi> by April 11, 2000.

A discussion of the Roundtables and the planning committee followed:

- Would it be more economical and closer to the governance process to have the groups that we already have (Faculty, Student, and Staff Senates) deal with these issues? It was noted that we could make a request that members of those groups always be on any Roundtable planning committees. The participants in the Roundtables themselves would be drawn based on interest and expertise in the topic of the Roundtable.
 - Recently we have done planning initiatives. Proposals and suggestions could come from the Roundtables. Perhaps planning for the Roundtable topics should come out of those planning initiatives.
 - As Roundtable discussions go forward, which suggestions would have more weight? Those from Faculty Senate or the suggestions that come out of the Roundtables? My general concern is having so many different lines of reporting and communication. It is difficult to know which of them count most and when there is conflict how it is resolved.
 - We need to be sure that we are representing our constituents and that we are right. Our influence is there as long as we represent our constituents. If we do not represent them, we should not have any influence.
 - It is a matter of logistics to some extent. Faculty Senate has so many other things to do that we cannot always serve the function of these Roundtables.
 - I would like to be assured of having at least one representative from Faculty Senate on these planning committees. I am interested in the preservation and clarification of the advisory lines that already exist.
 - What is the time line? It sounds like a significant time commitment. How many Roundtables will there be in a year? Chair Irwin will check into this.
 - There are some jurisdictional questions. For example, there is already a technology task force working on technology issues.
- b. Workplace Violence Prevention Policy draft. There is currently no written policy. The following were raised in discussion:
 - Did the University consult with an attorney? I am amazed that we are discussing this. We have laws. If you pull a knife on someone, you are responsible for it.
 - I would like to echo that concern. There seems to be an increasing tendency to want to anticipate all kinds of behaviors and determine in advance the appropriate ways of dealing with them. Too much anticipation can provoke the very kinds of situations they are intending to discourage.
 - I think this is more in response to situations rather than in anticipation of them.
 - I agree it is pointless to try to chase down everything that can happen. However, the laws of the nation are the least restrictive. We can have more stringent regulations that encourage cooperation. If you want to be in the "community" this is what you agree to. Our work demands free speech and a certain kind of respect that might not have to exist in a less restrictive environment.

- I have no problem with it. It is a protection for the University. The University could be held accountable if there was no document in place. I would rather have the clarity than not.
- Virtually everything here is already a violation law. I have problems with the last two: “making threatening remarks or issuing verbal physical challenges; provoking violent behavior in others.” These are not precise enough.
- The word respect does not appear anywhere in the document in a positive sense. I would suggest that the point of this policy is to encourage respect and cooperation. The document is cast as a list of “thou shalt nots.”
- I object to the title. There is nothing in the document that deals with prevention.

Chair Irwin will respond to Dr. Bob Wayland with these concerns.

- c. CUPB report and capital projects rankings. Chair Irwin requested that senators return the capital projects rankings by the end of this week. She also noted proposed changes in the CUPB bylaws—specific areas that may be of concern to Faculty Senate:
 - One proposal is to strike the language that has the University President as chair. Instead the executive committee will elect the chair.
 - There are substantial changes in the subcommittees. First, they propose adding a subcommittee for the VPIA. The proposal will also no longer allow the subcommittees to discuss those things that the vice presidents have chosen not to do. Nor will they have full explanation for that and the right to express their concerns to the vice presidents. The current bylaws also require the vice presidents to respond to the concerns of the subcommittee. That language has also been stricken. This effectively makes the subcommittees rubber stamps.
 - The proposed bylaws also change the functions of CUPB. CUPB would no longer be looking at individual planning priorities of the vice presidents. Instead they would be looking at planning in the whole. The proposed bylaws take CUPB out of the specifics and put them into the global.

The next CUPB meeting is April 21. Chair Irwin will make copies of the proposed bylaws for the Senate. The original bylaws mirrored the old planning process. There may need to be changes in the bylaws to handle the new planning process, but we are not certain what the new planning process is. It was also noted that there was no stated rationale for these changes. They came from the executive board of CUPB, which consists of Doug Bock, Will Hine, Bill Schnackel, Lida Wall, and Ted Weidner.

2. Elections. Senator Best noted that he is getting ready to start the coin toss process. Some of the individuals written in are ineligible for the position; others are not interested. There was a discussion of alternative but fair ways to deal with the coin toss in those situations in which there is a large number of individuals.

Motion (Lockart/Fischer) to set aside the Faculty Senate bylaws temporarily to allow the Elections Chair to perform another means of breaking the ties that is equally fair.

Yes: Allison, Benedict, Best, Canivez, Coons, Fischer, Greer, Irwin, Lockart, Marlow, Tidwell, Toosi, Young.

It was also noted that Costas’s sabbatical creates a vacancy on CGS. His alternate (Mike Havey) was recently elected. We need to look at CGS bylaws to see what should be done. Because Dean Augustine has asked for our help, we can suggest a name to him. It needs to be some one from the COS graduate faculty.

3. Nominations. Senator Tidwell submitted a list of vacancies on University boards and councils (attached).

Motion (Tidwell/Canivez) that the list of vacancies be submitted in the Faculty Senate minutes for volunteers.

Yes: Allison, Benedict, Best, Canivez, Coons, Fischer, Greer, Irwin, Lockart, Marlow, Tidwell, Toosi, Young.

Tidwell noted that the Radio/TV Advisory Board was omitted from the list. One of the proposals is to change that Board.

4. Faculty Staff Relations—Freedom of Speech/Right to Privacy. Senator Allison reported that while no staff members have forwarded official communications, a number have expressed fears about communicating openly since one was dismissed after communicating his opinions. That diminishes the likelihood that we can communicate openly with the Staff Senate’s subcommittee. This creates a hesitancy for them to communicate with us. Anyone who would like to help support the values of freedom of speech and the right to privacy should come to the gatherings and sign the petitions. The

- aim is to request the President and the Board of Trustees improve internal governing policies to better protect freedom of speech and the right to privacy in the work place.
5. VPIA Search Committee. If we are going to have interviews this summer, we need to get a schedule out as soon as possible. Chair Irwin expressed this concern to the President. Senator Young will also communicate this to the VPSA.
 6. Distinguished Faculty Award. The deadline for nominations is this Friday.
 7. ATAC. ATAC voted that it is up to the individual faculty members whether they want LANDesk or not. The Union is continuing to pursue this.
 8. Lakeland College Accord Teams. This report will be on next week's agenda.
- C. WEIU-FM. Senators were encouraged to attend the open forum on Thursday and asked to encourage their colleagues to attend. After reading the consultant's report the whole University has to have a consultation about what the purpose of the Radio-TV Center is. By 2006 they do have to go digital or give up the license. This will require \$2 million more to operate. It is more difficult to get funding if they are educational rather than community-oriented. The consultant does say that there are other things that one can do if they want to be educational. It was noted that the original license was acquired by accident because the consultant hired in 1984 to obtain a low power license lost the application and missed the deadline. He then found a full-service license for the University. One senator noted that he would like to have some recommendations from Journalism.

V. **Adjourn at 4:10 p.m. (Canivez)**

Respectfully submitted,
Nancy D. Marlow, Recorder

Upcoming Meetings

- April 11 Tom Leonard and Sheila Simons will discuss Native American services on campus.