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Faculty Senate Minutes of November 15, 1994 (Vol. XXIV, No. 13)

Called to order by Chair John Allison at 2:05 p.m., BOG Room, Booth Library.

Present: J. Allison, C. Eberly, G. Foster, F. Fraker, R. Gholson, R. Jorstad, W. Kirk, J. Lambert, J. Lasky, G. Mason, J. McElligott, J. Ozier, L. Walker, W. Weber, D. Wolf

Visitors: Jason Anselment, Jill Nilsen, Dave Hosick (VP Hill, Christie Roszkowski, and Cynthia Nichols arrived at 3:15)

Minutes: A motion (Kirk/Walker) passed with two abstentions to approve the Minutes of November 8 with the following exceptions: (1) Under Communications L. replace BGU with statewide. (2) Under Old Business, point 1. replace not a with a net, as in there was a net revenue loss, and (3) Under Faculty Concerns #6, replace to maintain with in equipment payoff.

I. **COMMUNICATIONS**

A. From Jill Nilsen and Cynthia Nichols (11/9; 11/14) materials regarding spousal hiring and harassment policies and procedures. These included three pamphlets ("Complaint Procedures on Discrimination," "Sexual Harassment Protocol," and "Sexual Harassment"), Employment and Recruitment Procedures: Employment of Relatives, Proposed Definitions of the Terms "Close Relative" and "Member of Same Household," policy on the Avoidance of the Appearance of Nepotism by BGU Administrative Officers, and from Jill Nilsen, a report prepared by Rhonda Chasteen in 1990 entitled, "A Proposal for a Spouse-Support Program." Some of the information for the Chasteen report comes from policies at Oregon State University (OSU) and Washington State University (WSU).

B. Minutes (11/3) of Council on University Planning and Budget (CUPB). Jill Nilsen asked for and received feedback from CUPB about the planning process. Sandy Bingham-Porter asked for clarification of the role of CUPB and how it relates to BGU regulations. President Jorns indicated that money for some planning goals may be made available "by taking a percentage off the top of our appropriation without affecting any base budgets from the previous years."

C. Minutes (11/2) of Student Government.

D. Draft (11/10) of the Department Chairperson Acceptability Form from Dave Ebdon. Included are the procedures for use of the form and the form itself (draft), which reads: "The individual named below has indicated interest in the position of chairperson. Please complete this form and return it to the Dean's office within one week of receipt in the envelope provided. Forms without supporting statements, either positive or negative, and forms lacking signatures will not be considered. This form and its contents will be held in confidence and will be used solely to determine the acceptability by all tenured and tenure-track faculty for this person to serve as department chairperson. Please note that you are not voting. You may find all candidates acceptable to serve. The information provided by this form will enable the Dean to determine the pool of acceptable candidates. The Dean will then use established procedures in the selection of the department chairperson." Below this statement is the space to express acceptability and identify reasons for one's choice.

Chair Allison expressed appreciation to David Ebdon for drafting the form and procedures.

E. From Gary Foster (11/11), sample ballot for UPC Special Election (an alternate from the "old" College of Education needs to be elected). The Campus Mailroom does not want to receive these ballots, so they will be returned to Gary Foster.

F. Memo (11/11) from Gary Foster outlining his reservations concerning the Constitutional Amendment. In part, the letter reads that "through the proposed amendment, any 20 percent of the faculty, without benefit or privilege of the discussion and consideration exercised by the Senate, can substantially erode and

negate Senate efforts simply because they disliked or disagreed with Senate actions for any number of unspecified or unknown reasons."

G. Correspondence with Brigitte Chen related to the Green Card Lottery. She expressed willingness to meet with us. Discussion ensued as to whether or not Faculty Senate should address the issue because it arose through an anonymous memo and which is more beneficial, a visit to Faculty Senate (during which Ms. Chen could also talk about EIU's International Student Program) or a letter explaining the process. Chair Allison will give her the option of visiting or writing a memo, and will inform her of our interest in the process, why it occurs, and how EIU's process compares with what other universities do.

H. Communication (11/15) from the Mathematics Department to Cheryl Hawker (CAA Chair) and Chair John Allison regarding the "unofficial extension of vacations." In reference to faculty cancelling their classes on Thursday, November 17, and Friday, November 18, the memo states that "it is totally frustrating to try to perform our professional duties (hold classes according to the calendar defined by the University) when other faculty members are redefining this calendar (by not holding classes) for their own convenience. Beginning vacations early is not a professional nor ethical position to assume."

Senator Walker replied that he was on the Calendar Committee and said it was hoped that the week-long vacation would not lead to still longer vacations. Also noted were the continuing complaints about the Academic Calendar. Senator Kirk noted that the MAT Department is asking for action and perhaps Senate should do something. Eberly noted students have to follow published "academic integrity," polices but there is no parallel with faculty.

Senator Ozier noted that the personal leave day language in our contract does not address the use of personal leave for vacation. However, the intent is that personal leave is not to be used to extend vacations. Senator Wolf noted that there are standard procedures for telling Chairs why faculty will miss class. Senator Walker reiterated that perhaps there is miscommunication. Senator Lambert noted that she would like to go back to three days for Thanksgiving and start Spring semester after the MLK holiday.

The consensus of the Senate was to encourage faculty members to meet all classes unless they have officially sanctioned obligations and have gone through the appropriate channels.

I. Sandy-Bingham Porter communicated that she is willing to host a Christmas party at her home for Staff and Faculty Senate if the Senates express interest. There was support for such a party.

II. **OLD BUSINESS**

A. Discussion of Attendance Policy

Senator Walker noted that the policy has been tabled again at CAA, and some concern is the perception that the policy is contradictory—we can set attendance policies, but we won't penalize students for attending University events or being sick. Chair Allison noted that the policy has been approved by the President's Council. It reads, in part, "Students are expected to attend class meetings as scheduled. Each instructor sets his or her own policy with respect to class attendance, and excuses for absences from class are handled between the student and the instructor. However, the instructor will not penalize students for absences due to illness, participation in an official University activity, or emergency."

Senate members noted problems related to defining "illnesses" and "University event," problems in determining legitimate excuses (illness, participation in univ. event), different interpretations of the word "penalty," and the lack of requiring students to provide adequate documentation of illness. It was pointed out that faculty can call the Health Service to find out if the student has visited.

McElligott noted that a student shouldn't be penalized if sick or attending a University event. He said if faculty have vague policies, there will be problems, but if faculty have concrete policies, there are no problems. In reply, Senator Weber asserted that some work can not be made up.

It was moved (Mason/Walker) to drop the last sentence of the attendance policy (see above). Some discussion ensued, Gholson suggested that faculty are given leeway concerning "attendance" but we are not allowing students the same. Senate guests arrived.

A motion (Jorstad/Kirk) was made to table the previous motion. (Passed 12-3). Motion was tabled.

B. Meeting with Christie Roszkowski and Cynthia Nichols.

Chair Allison referred to the Chasteen (1990) report on a spouse-support program, and asked if the policy and program is in place here. Ms. Nichols replied that when someone comes with his/her spouse, an attempt is made to see if there is a match (both with academic and other positions on campus). When Chair Allison asked if the issue is generally for new hires, Ms. Nichols replied in the affirmative. Chair Allison suggested pursuing a pamphlet regarding this issue, and Ms. Nichols indicated she would pass the idea on to the Affirmative Action Advisory Committee. It was noted that there is a brochure for departments to help them recruit minorities and women, and Senator Eberly suggested that it would be helpful to add about helping spouses.

Senator Foster wondered when a match is found, is preference given to the spouse? Ms. Nichols noted that EIU is precluded from making a "special hire" for spouses. A problem with "spousal preference" surfaced, which is the possibility of giving preference to a male or white when we are wanting to enhance the minority and female hiring.

Chair Allison noted a policy at WSU and OSU that helps spouses for one year. Ms. Nichols reminded Senate that it is contractually necessary to follow reemployment rosters for temps.

Senator Mason asked about status of sexual harassment training, noting that training started a few years ago has been dropped, and there is not Affirmative Action Assistant. Ms. Nichols responded that policies were revised to address expressed concerns that the process was not friendly and was bureaucratic. The pamphlet Sexual Harassment Protocol is one of the results of input from faculty/staff/students. Ms. Nichols also noted she has worked with 29 groups in 10 months on harassment and diversity, and an informational teleconference was held on campus.

Senator Gholson asked who is considered a "minority" in terms of employment (worthy of Affirmative Action). Ms. Nichols replied that Affirmative Action uses federal guidelines. They look at national availability data in the field and the data provide an indication of who is in the pool. EEOC has five basic groups (Whites, Hispanics, Pacific Islanders, Native Americans, and African Americans). Affirmation Action asks individuals to self-identify.

Senator Kirk noted the systematic attempt to sensitize individuals on campus about sexual harassment, and asked whether or not there is any systematic attempt to train. Nichols noted presentations are made in freshmen seminar classes but the Affirmative Action

can't require faculty attendance at training seminars. Senator Ozier noted that while she was UPI president, there was a suggestion to mandate training, and she received an enormous negative response.

Senator Mason asked about Affirmative Action at the university, in general, expressed regret that Joan Schmidt had been reassigned, and wondered how we can be following Affirmative Action guidelines when only two of the 19 coaches at EIU are female. She suggested that searches might be stopped or redone in order to avoid such under-representation of female coaches. Senator Lasky also added that it didn't make sense to remove Joan Schmidt from her position and then hold a search for her position, and she expressed concern about a potential lack of confidentiality in personnel matters. Ms. Nichols noted the all searches were carefully conducted, and invited Senators Mason and Lasky to examine the composition of the search committees if they believe there are problems. She refused to comment on the reassignment of Joan Schmidt, indicated it was a confidential personnel matter. Ms. Nichols also reiterated her commitment to confidentiality.

Returning to the issue of sexual harassment, Chair Allison noted that some faculty, chiefly male, are concerned about the "low threshold" regarding sexual harassment stated in the brochures, citing leering and comments about clothing as examples. Ms. Nichols indicated that Affirmative Action has attempted to address concerns before the pamphlet was published. She noted a increase in complaints of all kinds in the last 2-3 years, but many individuals are seeking informal resolution. The increase makes sense given the heightened awareness throughout the country.

Senator Fraker observed that an environment is being created where people are uncertain and have fear about the issue. Senator Kirk asked about the incidence of students harassing faculty. Ms. Nichols noted that faculty have not reported such harassment, but they are protected, also. Ms. Nichols noted that power is part of harassment. Senator Kirk noted, and others agreed, that students hold a different type of power, that is, the power to ruin a career. Senator Gholson noted that he works with future teachers and said that Senator Kirk's point is well-taken. The issue of students harassing teachers has been publicized recently and is a real concern.

Ms. Roszkowski wondered why these comments haven't been expressed to the Affirmative Action Committee and suggested that we point out certain issues to the AAC. If the AAC can't resolve the issue/concern, then Senate should take their concerns to a different group/level.

The meeting adjourned at 4:10. The next meeting is 2:00 p.m., November 29, BOG Room - Booth Library. TENTATIVE AGENDA ITEMS:
Attendance Policy, Green-card lottery, +/- grading, appointment/reappointment of chairs.

Respectfully submitted,
Gail Mason, Recorder