

MINUTES¹
UNIVERSITY SENATES CONFERENCE

DATE: Monday, June 24, 2002

PLACE: Rooms 211 (morning) and 210 (afternoon) Illini Union, Urbana

PRESENT: Alston, Baker, Conry (Chair), Fossum, Herricks, Kaufman, Leonard, Marshall, O'Brien, Strom (Secretary), Weech, Weller, White, Wood, Zaki

ABSENT: Freels, Jones, Kopecky, Langley, Rich

GUESTS: Terry Bodenhorn, Donald Chambers, Nancy Ford, Chester Gardner, Krishna Gupta, David Sisson, James Stukel, Priscilla Yu

Professor Thomas Conry, Chair, called the University Senates Conference to order at 10:12 a.m. He reminded Conference members that discussions during the Executive Session of the meeting were confidential.

I. Approval of University Senates Conference Minutes of June 7, 2002

The minutes were approved as distributed.

II. Campus Updates

Professor Ford said that the UIS campus is trying to deal with the budget cuts. The campus received only half of the money it requested for activities connected with the Presidential Library and Museum. Professor Leonard said that the campus had received a grant from the Sloan Foundation for an on-line degree program.

Professor Strom said that UIC's new provost starts July 8. Professor Kaufman said that the campus plans to hold back some reserve money in anticipation of a mid-year rescission.

Professor Herricks said that UIUC has a new Vice Chancellor for Research, Dr. Charles Zukoski.

III. Classification of Senate Minutes

Professor Conry explained that the Conference receives from the senates a summary of actions of the senate meetings. These items are classified into categories, one of which affects one campus only, another for items that might have affects across the other campuses, and items that require statutory changes. The Conference can flag items that appear to require further discussion. Usually the proposed classifications are approved without comment.

¹Subject to approval at the University Senates Conference meeting of July 25, 2002

Class I:	Matters of policy affecting one campus only. Item is sent to the President and Board of Trustees for action.
Class II:	Matters affecting more than one campus. Item is sent to Senate(s) for action, then to President and Board of Trustees. At the time of this classification, the Conference member will file with the recording secretary an accurate final copy of the Senate action.
Class III:	Amendments to the <i>University of Illinois Statutes</i> . Procedure is the same as with Class II items. At the time of reporting this classification, the Conference member will file with the recording secretary an accurate final copy of the Senate action.
Class N:	This designation requires no USC action, but alerts one or more Senates to an item of interest from the originating Senate. The "N" is preceded by and followed by a lower case letter(s); c = Chicago; s = Springfield; u = Urbana-Champaign; usc = University Senates Conference. Example: "cNs,u" means that a matter has come up in the Chicago Senate, which may be of interest to Springfield and Urbana-Champaign.

A. The following items were classified I by the University Senates Conference:

1. University of Illinois at Springfield, June 19, 2002

I	06/19/02	R32-3, Resolution on Changing the Name of the Institute for Public Affairs and Changing its Administrative Location to the Office of the Provost
I	06/19/02	Certificate in Career Specialist Studies
I	06/19/02	Certificate in Alcohol and Substance Abuse

B. The following items were classified N by the University Senates Conference:

2. University of Illinois at Springfield, May 10, 2002

sNc,u	05/10/02	Program Reviews: Public Administration – MPA Public Health, MPH
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3. University of Illinois at Springfield, June 19, 2002

sNc,u	06/19/02	R32-1, Resolution Regarding Transfer Hours from Community Colleges
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sNc,u	06/19/02	R32-2, UIS Smoking Policy
sNc,u	06/19/02	R32-4, Change in Graduate Assistant Policy
sNc,u	06/19/02	Program Reviews: Biology B.S. Clinical Laboratory Science B.S.
sNc,u	06/19/02	Goals and Objectives Report from the Budget and Planning Committee

Explanation of File Numbers

ST - University of Illinois *Statutes*

GR - *The General Rules Concerning University Organization and Procedure*

BG - University Administration Budget and Benefits Study Committee

NC - Nominating Committee

OT - All other items

IV. Old Business – Action and Discussion Items

1. OT-89. Fitness to Work. Passed UIUC Senate 2/24/97. Passed UIC Senate 4/23/98. Passed UIS Senate 9/24/99.

Professor Conry said that all three senates had passed different versions of this item. At the last USC meeting, there was discussion of a compromise document that Professor Kaufman presented to the Conference. Professor Kaufman reviewed the history of this item. The document began as a draft policy that resulted from the Americans with Disabilities Act. Fitness to Work was designed to describe a simple procedure by which the administration could require the medical or psychological evaluation of an employee. The Urbana Senate drafted the first document, which was to be a free-standing University policy. Later, the item was to be part of a group of items that the faculty were working on to police themselves. The Chicago Senate broadened the document to make it more faculty-friendly, most notably about how the medical experts would be selected. The Springfield Senate made some additional changes to the Chicago document. Professor Kaufman said that the document he wrote attempts to reconcile the language of the three senates.

Professor Fossum noted that the Conference had made a formal recommendation to the President that each campus should determine its own Fitness to Work policy. The President responded that it would be best to have a university-wide policy. Professor Weech said that one motivation the University had for wanting such a policy was in response to the elimination of compulsory retirement based on age.

Professor Kaufman said that he worked off of the Springfield document, which seemed to be more advanced. One change that the UIS Senate made was to permit both the employer and the employee to invoke this policy. Professor Kaufman said that he took out the provision for the employee to be able to initiate the policy because this did not seem to be the original intent of the document. Since the University assumes the expense of the process, it does not seem appropriate for an employee to request a medical evaluation at the University's expense.

Professor Kaufman turned attention to Section III., Special Considerations for Faculty Members, which makes it clear that this procedure should not be used in the realm of academic freedom. Professor Marshall thought that the second sentence was too limiting by singling out teaching. Professor Fossum suggested changing the last part of the second sentence from "the teaching activities of other faculty members" to "the academic activities of other faculty members." Professor Strom said that the "for example" could then be taken out. Professor Kaufman did not believe the intent of the example was to limit how the policy could be invoked. Professor Fossum thought that the example was appropriate because, while there should not be a long laundry list, it gives an indication of why one might invoke this policy. Professor Leonard said that he believed the intent was to prevent the policy from being used by the administration to exercise their will with regard to who is fit to work. Professor Kaufman said that he supported changing the word "teaching" to "academic."

Looking at e. under VI. 2., Professor Zaki said that the employee should be able to have a second evaluation.

Going back to section III, Professor Weech suggested changing the second sentence to, "This special status should not be compromised in the implementation of this policy." He said that this means academic freedom and academic governance needs to be protected. Professor Fossum supported the proposed substitute sentence. Professor Conry recommended that the Conference have a thorough discussion of the document but not take any action until the next meeting. He added that, after the Conference approves reconciled language, the document will go to the senates for an up or down vote.

Professor Kaufman suggested that the document be called *Evaluation of Ability to Work*. He said that it is a simple policy for having an employee evaluated, but does not determine what happens after the evaluation.

Professor Ford asked how an employee would call for an evaluation. Professor Kaufman said that he thought the employee would visit a physician and then give the University documentation of the results.

Professor Kaufman said that the Coordinator is first mentioned in VI., 2., second paragraph. Professor Conry said that the Coordinator does not have any decision-making responsibilities. Professor Kaufman said that the Coordinator prepares the list of health-care professionals from which the employee can choose. He assumed that the campuses would have a standing list of health-care professionals, updated annually, from which the

Coordinator could create a sub-list depending on the medical situation of the employee. Professor Alston questioned why a faculty member would be selected as Coordinator. Professor Herricks said that it was very important to make specifications about who the Coordinator would be, faculty or otherwise. He added that it would not be beneficial to the faculty to have an intake person as is done with sexual harassment case situations. He encouraged that there be stronger language about the Coordinator selection and role. Professor Marshall questioned whether it would be beneficial to have a standing list of health-care professionals since cases would probably be infrequent and each case could be different. Professor Wood noted that the version approved by the UIUC Senate states that, "If the Vice Chancellor concurs that an evaluation is appropriate, the Vice Chancellor will appoint a Coordinator for this policy who will take the following steps..." In addition, there is a footnote that further describes the Coordinator. Conference members expressed a preference for this language. Professor Herricks felt that there should be faculty input on the selection of the Coordinator. Professor Conry said that he would like for the role of the Coordinator to encompass knowledge of the rules, to make sure everything gets done that is supposed to happen, but not to have any kind of decision-making responsibility other than to select the list of health-care professionals. Professor Alston said that she thought it was more important to have the Coordinator be someone who knows about health care, rather than have the Coordinator be any faculty member.

Professor Kaufman said that the UIC Senate instituted the "between five and ten names" requirement in VI.2.c., which states, "prepare a list of between five and ten names of appropriate health-care professionals not affiliated with the University for the administrative evaluation process." The Conference agreed that between three and five names would be sufficient.

Professor Kaufman moved on to VI.2.e., reminding the Conference that Professor Zaki had earlier stated that he believed a second evaluation should be permitted. Professor Kaufman said that a second evaluation could be built into the document, or, the employee could get a second evaluation on his or her own as part of a grievance process. Professor Zaki expressed concern that once the policy is put into place, we do not want it open for exploitation. Professor Marshall agreed that it might be prudent to put into the policy that the individual may supply a second opinion. Several members stated support for putting it into this section rather than deferring it to a grievance process or being silent on a second evaluation. There was agreement that the employee would be responsible for the cost of the second exam.

Professor Kaufman asked for comments on VI.3., Outcome of the Evaluation. Professor Sisson suggested that "initiate dismissal procedures" replace "dismissal" in the section *Unable to work*, because statutory authority would take over. There was general agreement. Professor Weech suggested removing the Coordinator from "or other solutions which are agreeable to the Coordinator, employee, and Vice Chancellor." The Conference agreed.

Professor Conry asked Professors Fossum and Kaufman to produce a revised document for action at the next Conference meeting.

2. OT-161. Non-Tenure-Track Faculty Appointments.

Professor Conry commented on a letter from Dr. Daniel LaVista, Executive Director of IBHE, regarding IBHE policy recommendations for non-tenure-track faculty. He noted that the IBHE's full report on non-tenure-track faculty could be found on a website listed on the attachment to Dr. LaVista's letter. Professor Conry said that the policy recommendations, which are on Pages 31 and 32 of the report, indicate that institutions need to transmit their plans on how to implement these policies back to the IBHE by the end of the calendar year.

Professor Alston said that the report put a positive spin on the whole issue. Professor Marshall, chair of the USC *ad hoc* committee to consider non-tenure-track faculty appointments, agreed that the report had an upbeat tone of the opinions of non-tenure-track faculty about their positions, which is not entirely consistent with the report produced at UIC. He added that it is necessary to recognize that in different units there are very diverse situations so that it is difficult to craft policy that applies across all units of the University. Each unit should establish some body, under presumably the dean, which would involve tenure-track faculty members and non-tenure track faculty to oversee policies and practices in that unit. He said that he had not consulted with the committee as to whether there should be an opening general statement of principles concerning non-tenure-track faculty or whether to establish a procedure to which faculty oversight is assured. Professor Baker agreed that there should be an introductory remark that does two things: 1) recognize that such appointments are of value to the educational effort of the University, and 2) assure that individual units have rules and regulations for which the faculty would have the responsibility of overseeing. Professor Baker added that the message in the letter from Dr. LaVista is very unclear.

Professor Chambers said that, in the case of the sciences, there are non-tenure-track faculty who are essentially working with no faculty oversight. He also said that, at the U of I, there seems to be a lack of mentoring and professional development of the academic professionals. If we would begin to look at this problem in conjunction with our policies towards non-tenure-track faculty, it might lead to advances in the development of people in both classifications. In the sciences, either one is appointed as research assistant professor or as a technician; there is no intermediate classification. This has caused trouble for department heads in the sciences. Professor Weech stressed that it would be important to include in an introduction that faculty input should be broadened.

Professor Wood said that the IBHE report seems to address large numbers of truly part-time people. The situation is very different at the U of I. Professor Chambers commented that the budget problems may cause us to go in the other direction.

Professor Kaufman said that he assumed this would be an issue that would fall under the direction of the Vice President for Academic Affairs. With the timeline being to respond by the end of the calendar year, he wondered how there would be faculty input and how the process could be expedited. Professor Kaufman suggested discussing this issue with Vice President Gardner during the Executive Session.

Professor Marshall said that the IBHE recommendations try to be all-inclusive, which is a concern since there is an incredible range of differences among the various Illinois public colleges and universities. Professor Herricks noted that the recommendation on Page 31, third from the bottom, is clearly part of the multi-year contract question that is being addressed by the Conference. He said that there might be more than one activity in this group that will be responding to these issues and perhaps there is a need to coordinate a response. Professor Fossum commented that Dr. LaVista's letter asks that faculty be consulted during the process.

Professor Conry asked Professor Marshall to take the lead in coordinating activities.

3. OT-189. Follow-up Discussion on Salary Increases.

Professor Conry noted that this item would be discussed with the President during the Executive Session and asked if anyone had comments. Professor Weech said that he thought Professor Conry's letter to the President was well-crafted. Other members agreed.

4. OT-190. Representation on the Tuition Planning Committee.

Professor Conry told the Conference that he and Professor Strom would serve on the Tuition Planning Committee. He said that Professor Langley had informed him that Professor Lee Frost-Kumpf would serve as the UIS representative.

5. NC-8. Nominating Committee for 2002-03 Officers and Executive Committee.

Professor Herricks moved to remove this item from the agenda. The motion was seconded, voted on, and approved.

6. OT-178. USC Web Page.

The Conference commended Professor Kaufman for the work he had done on the web page. Professor Kaufman moved that this item be removed from the agenda. The motion was seconded, voted on, and approved.

7. OT-182. USC Retreat 2001.

Professor Strom moved to remove this item from the agenda. The motion was seconded, voted on, and approved.

8. OT-123. Discussion of University Senates Conference guests.

The Conference discussed possible guests to invite to future meetings.

9. OT-142. Update on the Management Teams: Academic Affairs; Business Administration and Human Resources; Economic Development and Corporate

Relations; Governmental Relations.
Reports:

EDCRMT June 19, 2002

Professor Kaufman

V. New Business

There was no new business.

VI. Old Business – Information Items

10. ST-30. Proposed Changes to the *Statutes*: Terms of Faculty Employment. Passed UIUC Senate 4/21/97. Passed UIC 3/11/99. Passed UIS 4/30/99. Passed USC 9/8/99. Transmitted to the President 9/15/99. Re-sent to the Senates 12/13/99. Response from UIC 1/27/00. Response from UIUC 2/14/00. Passed USC 6/28/01. Transmitted to Senates 7/18/01. Passed UIC Senate 9/28/01. Passed UIS Senate 10/12/01. Passed UIUC Senate 10/29/01. Transmitted to the President 11/14/01.

Professor Conry reported that this item is scheduled to go before the Board of Trustees in July.

11. ST-47. Proposed Revisions to the *Statutes* -- Multi-Year Contracts for Full-Time Non-Tenured Faculty. Passed UIC Senate 10/27/99. Rejected UIS Senate 3/3/00.

Professor Herricks said that the task force held a conference call. One issue discussed was how minor the statutory changes would be.

12. ST-51. Proposed Amendments to the *Statutes*, Article II, Section 4 – Faculty Advisory Committee. Passed UIUC Senate 11/1/99. Passed UIS Senate 1/21/00. Passed UIC Senate 4/27/00. USC Reconciled Language to Senates 6/4/01. Passed UIS Senate 9/14/01. Passed UIC Senate 9/28/01. Passed UIUC Senate 4/29/02. Transmitted to the President 5/9/02.

Professor Conry reported that this item is scheduled to go before the Board of Trustees in July.

13. ST-54. Amendment to the *Statutes*, Article IX, Section 10 – Nonreappointment of Academic Professional Staff. Passed UIUC Senate 3/19/01. Transmitted to Senates 5/18/01. Passed UIC Senate 9/28/01. Passed UIS Senate 11/30/01. Transmitted to the President 2/14/02.

Professor Conry reported that the President is holding off sending this item to the Board of Trustees until after the budget is settled.

14. BG-12. 2001-02 University Administration Budget and Benefits Study Committee.

Professor Baker said that there was nothing new to report but noted that there is hope that the proposed 1% benefit increase for four years where the state would contribute a larger portion to employees' retirement will be reconsidered after the budget situation improves.

15. BG-10.a. Proposed Supplemental Retirement Option. Passed UIUC Senate 4/19/99. Passed UIC Senate 1/27/00. Passed UIS Senate 2/18/00.

No new information.

16. BG-10c. Resolution on Faculty Salary and Benefits. Passed UIUC Senate 5/1/00. Passed UIS Senate 6/16/00. Passed UIC Senate 9/28/00. USC Resolution Transmitted to the President 1/11/01.

No new information.

17. OT-157. Chief Illiniwek.

No new information.

18. OT-167. Faculty Representation to the Board of Trustees. UIUC Resolution 9/27/99. UIS Resolution 11/5/99. UIC resolution 12/2/99. USC Resolution to Senates 2/3/00. Endorsed by UIS 2/18/00. Endorsed by UIC 3/9/00. Endorsed by UIUC 4/24/00. Transmitted to the President 6/30/00. Transmitted to the Board 7/6/00.

No new information.

19. OT-170. Seminar on Economic Development.

Professor Kaufman said that the Seminar is in the writing phase of the first draft.

20. OT-181. Proposed Revisions to the *Policy and Procedures on Academic Integrity in Research and Publication*, Section IV.B.2. Transmitted to the President 7/13/01. Transmitted to the Senates 10/4/01. Transmitted to Vice President Gardner 4/22/02.

Professor Conry reported that the Office of the Vice President for Academic Affairs is working on this item.

21. OT-184. Committee on Vice Presidential Search Procedures, Processes for Commenting on the Reappointment of University Officers and (formerly OT-176) Periodic Vice President-Level Reviews. *Periodic Vice President-Level Reviews* approved by USC 11/28/00; Transmitted to the President 1/19/01. *Recommended Principles to be Used in Searches for Major Administrative Positions* transmitted to the President 11/14/01; President transmitted to Board of Trustees 11/27/01.

No new information.

22. OT-185. Senate Resolutions on Benefits for Domestic Partners. Passed UIUC Senate 4/23/01; Passed UIS Senate 9/14/01. Letter of reaffirmation of USC support transmitted to the President 11/14/01.

The Conference discussed the future of this issue.

23. OT-187. UI-Integrate/Support Services Strategy (S³) Related Issues.

Professor Conry said that there has been a delay because SCT will miss a key date due to flaws in the messaging system that links various modules.

24. OT-188. *Interim Code of Conduct*. Transmitted to Senates 5/13/02.

Professor Conry noted that the *Interim Code of Conduct* had been sent to the senates for consideration.

25. Designation of Future Observers of Board of Trustees Meetings:

University of Illinois at Springfield
Wednesday and Thursday, July 17-18, 2002

Professor Kal Alston

Before the meeting adjourned for lunch, Professor Baker said that this was his last meeting because he would not be available to attend the July meeting. He indicated that he would like to keep active with the USC *ad hoc* Committee on Non-Tenure-Track Faculty Appointments. He also mentioned that it had been a pleasure serving on the Conference. Professor Conry thanked him for his service and the Conference responded with a round of applause.

VII. Executive Session

(Text suppressed due to confidential nature of material discussed.)

VIII. Adjournment

The meeting adjourned at 3:00 p.m.