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Transcript of the Faculty Senate Meeting March 1, 2001

Elizabeth Kennedy
facultySenate@uakron.edu

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MINUTES OF THE FACULTY SENATE MEETING OF MARCH 1, 2001

The regular meeting of the Faculty Senate was called to order by Chair Dan Sheffer at 3:05 p.m. on Thursday, February 1, 2001, in Room 201 of the Buckingham Center for Continuing Education.

Fifty of the sixty-four members of the Faculty Senate were in attendance. Senators Ebie, Edgerton, Gelfand, Hanlon, Kinion, Lavelli, Li, Lyons, Reed, and Schmith were absent with notice. Senators Hajjafar, Saliga, and Turning were absent without notice.

SENATE ACTIONS

* **APPROVED THREE CRC PROPOSALS FOR NEW CURRICULUM, NEW PROGRAMS, AND CURRICULUM CHANGES.**

* **APPROVED CFPC RECOMMENDATION FOR SPACE REALLOCATION OF 30 ROOMS ON SECOND FLOOR OF AYER HALL.**

* **REFERRED DOMESTIC PARTNER ISSUE TO WELL-BEING COMMITTEE FOR FURTHER CONSIDERATION.**

* **REFERRED ASG PROPOSAL REGARDING INDEPENDENT STUDENT EVALUATIONS OF FACULTY TO STUDENT AFFAIRS COMMITTEE AND STUDENT OUTCOME ASSESSMENT TASK FORCE.**

I. APPROVAL OF THE AGENDA - Chair Sheffer called for a motion to approve the agenda. He then suggested one change to the agenda, which was to include the report for the Planning & Budgeting Committee as part of the remarks of Provost Hickey. The Provost was to give that report today, and, as he had to leave at 4:00 p.m., he wanted to give his comments early during his remarks. Senator Midha moved to approve the agenda. The motion was seconded by Senator Sterns. The Chair then called for discussion. Senator Steiner made a motion to amend the agenda. His amendment asked that the discussion of the RTP procedures be moved to new business after committee reports, because it was likely that a lengthy discussion might ensue. Senator McCollum seconded this amendment, and the body voted its approval. The Chair then called for a motion to approve the amended agenda. This was so moved by Senator Midha and seconded by Senator Sakezles. The Senate then approved the amended agenda.

II. APPROVAL OF THE MINUTES OF FEBRUARY 1 - The Chair asked for consideration of the minutes of the meeting of February 1. Secretary Kennedy stated that she had no corrections,

and none came from the floor. A motion to approve the minutes was made by Senator Lillie and seconded by Senator Filer-Tubaugh. The Senate then voted its approval.

III. CHAIRPERSON'S REMARKS - Because the agenda was very full, the Chair stated that he wanted to move right on to the special announcements.

IV. SPECIAL ANNOUNCEMENTS - There were none.

V. REPORTS

EXECUTIVE COMMITTEE - Secretary Kennedy began her report by stating that the Executive Committee had met three times in February, twice with only committee members, and once with the President and Provost. The committee first addressed the issue of a Senator who was on leave for one semester. There was no rule in the Faculty Senate Bylaws regarding placement of a Senator who was on leave for one semester. There was a provision for leave greater than one semester, but not for one semester only. The question the committee had centered on representation. The committee felt that those represented by that Senator should be able to decide whether the Senator on leave should be replaced with an election, or should be allowed to retain his or her seat. Again, full representation of faculty was the goal. Therefore, the Executive Committee proposed to amend the Faculty Senate Bylaws under (H)(5)(f) by adding to the sentence: "Senators who are on professional, medical, or administrative leave for one semester or less will retain their seats IF APPROVED BY THEIR CONSTITUENCY. IF NOT APPROVED, THE SEAT SHALL BE CONSIDERED VACANT." At that point then an election for a new Faculty Senate representative would be held. Secretary Kennedy made a motion that the body adopt this amendment to the Faculty Senate Bylaws.

Chair Sheffer stated that since the motion came from a committee, it didn't need to be seconded. However, since it was a change to the bylaws it would have to lay over for one month. This would be brought back at next month's Senate meeting.

Secretary Kennedy continued. Relatedly, another issue the committee discussed was Faculty Senate meeting attendance. Attendance to the meetings of late had been rather poor, and in the next two months the Senate would be dealing with some very important issues. She knew this was preaching to the choir but wanted to reiterate just how important attendance was.

The Executive Committee also discussed the Conflict of Interest Committee, and per President Proenza's request, chose four individuals from Senate to sit on the Conflict of Interest Committee and begin work with Dr. Newkome. The four individuals who would be representing Faculty Senate included three from the original Conflict of Interest Committee - Secretary Kennedy, Senator Lillie, Senator Lee, and a new member, Senator Calvo. These four would be meeting in the near future with Dr. Newkome.

Another issue was a proposal brought to the Executive Committee by Associated Student Government. Mr. Elliott Anderson presented ASG's request that ASG be allowed to conduct

independent student evaluations of faculty. Results of those evaluations would be made available to students via a published blue book. While the Executive Committee supported the idea of student evaluations and making that information available to students, we did have several questions, concerns, and comments regarding their proposal. Therefore, the committee forwarded this proposal to the Student Affairs Committee to examine in greater detail. The Senate would be hearing from this committee regarding the ASG proposal in the near future.

The committee discussed several issues with the President and Provost. For example, the committee discussed at great length the RTP guidelines, but details on that would be presented later during today's meeting. We also talked about the budget, and we asked the President to address some of the rumors surrounding merit pool salary increases. We then discussed the time line for the budget and asked for details about what PBC was doing in regard to that process. We also asked that faculty be provided with a sheet of salary information - comparison of salaries at various ranks in the University. Faculty had been receiving those in the past but not within the last two years. We were told that those would be provided to faculty.

The Executive Committee had extended an invitation to Vice President Roney to attend a Faculty Senate meeting in the near future to present information about the enrollment strategy and management plan to update Senate on what had been done and what the future held.

Finally, we had a discussion about involving the PBC in a strategic planning process that the Provost had talked to Senate about at the last meeting. We discussed the need to include PBC in this process and were assured that the PBC would be involved.

REMARKS OF THE PRESIDENT - The Chair invited President Proenza to address the body.

"Thank you, Mr. Chairman. I am sorely tempted to keep my remarks to myself, but I think I would like to join with you a little bit this afternoon. First, I would ask that all of you join me in signing Happy Birthday to our Provost...

This last couple of weeks have brought exceptionally good news to the University, and I'd like to share a couple of those items with you. As some of you are aware, two weeks ago today in fact, several of us were in Washington, D.C. at the National Press Club for what was truly an unprecedented announcement. A landmark grant, both for the foundation making the award and for The University of Akron - The Robert Wood Johnson Foundation announced a \$13.7 million grant to The University of Akron for the Institute of Health and Social Policy - Zili Sloboda, as principal investigator, Dick Stephens as co-principal investigator. This is a complete revision of the curriculum related to drug and alcohol abuse prevention for our nation, shifting the focus from primary school to the transition between middle and secondary school, and shifting the approach from largely a lecture-driven approach information delivery to an interactive approach in which the students in effect become their own teachers. The grant is in collaboration with D.A.R.E. American as the network to provide that curriculum. It will reach about 50,000 young people and without question, it was a very proud moment for The University of Akron. It is the largest grant for the University, and we're checking the way that the official from the Robert Wood Johnson Foundation spoke. It seemed as though she meant also the largest grant for the Foundation; certainly, the landmark nature and scope of this was very much evident. This is indeed a very

happy occasion, and congratulations again, Dean Creel, to your colleagues.

Secondly, we received the second of technology action funding awards from the Technology Action Board. Last year we received a grant for \$465,000; this year's award was \$1.5 million to continue our efforts to develop Ohio Polymer Enterprise Development Corporation to assist and develop our skills and enhance our ability to commercialize polymer-related technologies. So again, a very important award continues those efforts in that regard.

Yesterday the Board of Trustees approved all of the Mercer appeals, so the Mercer process is now complete and those appeals that were so recommended were approved and notification letters are going out today. In keeping with the fact that for our University students, our job 1, enrollment is the most important priority that we have to work on. Several of us have been assisting Vice President Roney and her staff in welcoming students who are considering the University, and we're very pleased to welcome a very strong group of 3.0 and above students in a welcome reception two nights ago - a very, very exceptional group of students.

A short student testimonial received, (I always get all the complaints, but occasionally get a letter that actually says something very nice), so let me share a couple of words from a student who's participating in the laptop pilot rollout. I quote: 'I want you to know how much the laptop program has meant to me in my studies. I've watched this school undergo many changes, but this laptop initiative is the icing on the cake for me. The University of Akron has exceeded all of my expectations. There is no place I'd rather be.' She also sent the letter evidently to The Buchtelite independently, and that was published by The Buchtelite.

There have been several faculty accomplishments that I wish I could dwell on, but Dan Deckler in Wayne College presented a paper at the IEEE International Conference, a very important paper. Harri Ramcharran has co-authored six articles which will appear this year in several important journals. Dean Richard Aynes of our School of Law entitled a book chapter, 'Unintended Consequences of Constitutional Amendment,' which is being published by the University of Georgia Press in conjunction with Professor David Kyvig. Walter Hixson, Chair of our Department of History, has just published a book entitled, 'Murder Culture and Injustice,' published by our University Press.

Two final comments - as Senator Kennedy indicated, we chatted with your Executive Committee about the budget, and I'd just like to make a few remarks to be sure that all of us are on the same page. We are working with the Provost, Vice President Nettling, and with the Planning & Budgeting Committee to develop appropriate scenarios that will allow us to respond rapidly as soon as budget information is made available from the state legislature. Those scenarios are putting as their first priority the creation of an appropriate size salary pool for merit increases. We are targeting hopefully a 3 percent salary pool. If situations change to make it better, we'd love to do that, but as you know, the Governor has recommended a fairly conservative budget and unless we are able to move the legislature a little bit on that point, we may be limited to a 3 percent salary pool. We'll do our very best; in fact, members of the Board of Trustees have joined Vice President Laguardia and others in the staff in working with me personally in visiting the legislators and making important arguments on this matter. The presence of members of the Board of Trustees, as you can imagine, has carried considerable weight with those legislators. Also,

we'll be welcoming Senator Tim Ryan to the campus soon to tell him about some of the important things that we are doing.

Finally, I would like to very briefly address the RTP process that you will be discussing in a moment. First, to dispel some rumors - I don't expect to leave here in two years. In fact, the Board of Trustees has put in place some very attractive incentives for me to stay seven and maybe more years. Vice President Mallo can inform you about that if you care. So it's certainly not my intention to drop out of here and let you wait that long.

Secondly, I would like to ask that you certainly assist all of the discussion that is going on and provide your suggestions. We're always open to how to better do something that someone else has previously iterated. We never want to stop short of a better idea. How you get to these two points is in many respects your business, but there are two things that are non-negotiable, ladies and gentlemen. One, the University must have a uniform process across the University. And notice that that doesn't mean uniform criteria, because obviously those have to be discipline-based. But I will not have the Department of English doing the process of review and so forth differently from the Engineering College or some other school or department. We have to have uniformity of process to address equity issues, to address issues of due process, and that is simply a non-negotiable item.

The second item that is non-negotiable is that you must assure me in an acceptable and objective fashion that we are aspiring across the University to uniformly high standards. In other words, I will not accept one department wanting to be the best among the worst, and another one wanting to be the best among the best. How we get to that - again, I'm open to your suggestions. But those two are non-negotiable.

Finally, I would like to recommend, Mr. Chairman, that we try to move the process along to consider my possibly having some recommendations to make to our Board of Trustees perhaps as early as April but no later than the May Board meeting. Please note there are some issues that are surfacing in the document which I urge you in the same spirit with which we worked with the conflict of interest policy, to engage with the Provost and General Counsel to ensure that there are no conflicts with existing Board of Trustees Bylaws. I do not envision that the Board is going to be willing to change its bylaws. With that, I will keep all other comments to myself, and as I've often said to many of you, I can't find my hidden agenda so I won't share it."

REMARKS OF THE PROVOST - The Chair then introduced the Provost.

"Unlike your Senate Chair and our President, it's actually never occurred to me to keep my remarks to myself. Before I talk about the Planning & Budgeting Committee report, which is what I'll concentrate on today because you have a full agenda, I do want to call your attention to Scholarship Saturday which was held a couple of weeks ago. It was an incredibly successful day, and I thank all of you who participated and all of those who participated but may not be here.

We interviewed approximately 300 top-flight students, some of the cream of the cream. All students who came were guaranteed at least a \$1,000 scholarship, and many of them as a result of the process will be receiving offers of much more. In addition, 400 of their parents came, so we

saw 700 people that day. We had some incredibly positive responses from both the students and the parents, including some parents who told me they have been to four other institutions and this was by far the best event they had been to, and it changed their minds. They and their child were now giving very serious consideration to The University of Akron.

Special thanks go to Dale Mugler and Karyn Bobkoff Katz, because I had asked the Honors Program to take the lead in this and they did and did a great job. I should tell you that Honors Program applicants are at an all-time high, I think a total of 310 applicants to the Honors Program this year. Even if you back out the B.S./M.D. students who typically don't end up in the Honors Program because of their schedules, we're still 50 students greater in terms of applicants than the Honors Program has ever experienced before. You all know the quality of the Honors students, so days like Scholarship Saturday make a big difference, and I do appreciate all of you who spent a portion or all of the day there. I know that Dr. Roney and I opened the doors in the morning and came close to closing them in the evenings, but it was one of those days when you actually go home invigorated because of the students that you've seen."

PLANNING AND BUDGETING COMMITTEE - The Provost continued with a report from the PBC.

"Charlene Reed couldn't be here today so she asked me whether I would present this report. Copies of the report were left on the table, and I'll just touch on some points (**Appendix A**). One is that we did have a 1% increase in credit hr. production as of spring semester, which helps enormously, give or take a few dollars. A 1% increase in credit hr. production represents about a million dollars in revenue, so you can see it's much better to be 1% up than 1% down.

I also shared with the PBC and you will see outlined in your report, the new plan for the way summer instructional allocations will be made and you can read for yourself at your leisure. But with the new plan that's in place, the best example is doing nothing different. If the College of Arts & Sciences does exactly what it did last summer, it will get a check for \$100,000 at the end of the summer that it can then put into its budgets and spend as it sees fit. If it did that over the next 3-year period, exactly the same thing, it would receive a check of well over \$200,000 in summer of 2002, and over \$350,000 in summer of 2003. So you can see that the impact of scheduling courses appropriately in the summer can be quite dramatic on the fiscal health of the college.

The other points I wanted to touch on here - the President has already touched on the budget. Just to give you a number to remember, as the Governor's budget stands right now with everything considered, we would have a .7% increase in our state appropriation for next year. So as you can see, with our major emphasis being put on creating a salary pool, we all have our work cut out for us. But as you've heard the President say and you've heard me say in the past, that is our primary task right now.

I should point out that at the last PBC meeting an action was taken, and I'll just read this. 'It was moved by Dean Creel and seconded by Helen Qammar that the PBC support a 6% tuition increase, which is the maximum permitted, due to limited growth in state support. Further, the PBC recommends that a minimum raise pool of 3% and up to 4% of funding can be identified to support it, be established. The motion passed unanimously.'

I also mentioned to the PBC that we needed to start thinking about the 'P' in their name, the planning portion of it. As you've heard, Vice President Roney and I are hoping to combine efforts on a programmatic planning process that would involve both academic and student affairs, because we feel that those two work hand in hand and the planning should go hand in hand as well, and we fully intend to involve the PBC in that process. After this year it may be difficult to get PBC members because we are working them to death, but so far they seem to be smiling, so maybe they enjoy it.

I should also point out to you that the PBC made recommendations to me regarding the allocation of House Bill 640 equipment monies, about \$1.6 million in equipment money. A volunteer subcommittee of the PBC reviewed all of the requests that came forward, and they made their recommendations to me and I accepted their recommendations as submitted. The deans have now received letters telling them what their allocations are, and those allocations are those recommended by the PBC. That's the end of the report of the PBC, Mr. Chairman."

UNIVERSITY WELL-BEING COMMITTEE - A copy of the University Well-Being Committee report was made available to Senators (**Appendix B**). Senator Erickson began her report by stating that at the recent meeting of WBC, the committee had met with Asst. Vice President for Auxiliary Services, Mrs. Laurie Madden, Mr. Elvis Bond, Director of Dining Services, and Mr. Dean Goumas, Director of Auxiliary Business Operations. The committee discussed issues relating to food services on campus. Senators should have received from their Well-Being representative a request for feedback. The committee had passed the feedback on to these individuals, and there was a discussion of food services, especially as they related to the new student center. Most of that information was in the report, and Senator Erickson urged all to have a look at it.

The second matter that was discussed by the committee was related to health insurance. Subgroups of the committee had met with Human Resources and a consultant on health contracts and had started the process of working this out for new health contracts that would start in 2002. She asked Senators to please note that the committee was working on a website that would be available for soliciting employee feedback on health insurance carriers. Again, many had sent comments last fall. The website would allow all to do this at any time. The committee expected the website would be up in April; Senators were to please look in the UA Digest for that information.

Lastly, the committee was working on putting together and starting work on the pregnancy and sick leave subcommittee. She asked for any input Senators might have. Senator Erickson concluded her report by stating that the next meeting of the Well-Being Committee would be on March 16 at 9:00 a.m. at the Faculty Senate office.

CURRICULUM REVIEW COMMITTEE - Two items of business were presented from the Curriculum Review Committee. The first was the proposals that were approved by the Provost and brought to Faculty Senate for a vote of new curriculum to be initiated in Fall of 2001; the second was another handout of the new programs (**Appendix C**). Professor

Stokes asked whether the body could address the curriculum proposals first. It was a motion coming from committee to approve.

Chair Sheffer asked for discussion of the motion. Senator Lillie stated that he had just a very minor point - under the College of Education, there was listed a department called "Counseling." It was actually "Counseling and Special Education." That was just minor.

The Senate then passed the motion.

Professor Stokes said that also coming from the committee was a motion to approve the new programs. These were listed on the other handout. Senate voted its approval of this motion.

Professor Stokes stated that the third item of business was a draft of curricular changes which had come from Curriculum Review Committee as a motion to approve and replace 3359-20-052, which now existed in the Faculty Manual, with the curricular changes Senators had in front of them (**Appendix D**). The Senate then passed the motion.

CAMPUS FACILITIES PLANNING COMMITTEE - Senator Sterns stated that there was only one piece of business he wanted to conduct on behalf of the committee. That was a space reassignment of 30 rooms on the second floor of Ayer to be reallocated from math science to physics, following the math move to the new Arts & Sciences building. That was all the business for today. The Senate approved the motion.

FACULTY RESEARCH COMMITTEE - 2001 Spring Grants (**Appendix E**).

OHIO FACULTY COUNCIL - Senator Huff stated that he and the Senate Chair had attended the meeting on the 9th of February. Two handouts were available and he hoped all you would get a chance to pick these up (**Appendix F**). These materials had been prepared earlier, as the letter from the Ohio Faculty Council was dated in December. The "Get the Facts" information had been prepared primarily for the OBR's attempt to take an assertive role in influencing the development of the budget in Columbus. This had been done prior to the Governor's announcement of his budget, and it seemed a little dated now because of that. But the OBR had the opinion that this was still very much an issue that needed consideration.

The legislature had many new members, and term limits had resulted in a lot of new faces in Columbus. It had been reported to the OFC that there were a number of people very interested and concerned about the state of higher education in Ohio. The reason for the information that had been prepared was to try to enlist all of the faculty throughout all universities not to be advocates necessarily themselves, but to reach out to members of their community who might need this kind of information to understand what was at stake. Hopefully, a third party could be more influential than we could be in trying to influence our legislators. He urged Senators to pick up a copy of the report on their way out.

VI. UNFINISHED BUSINESS

WELL-BEING COMMITTEE - The Chair called for a motion to approve the resolution concerning the domestic partners benefit recommendation brought from the University Well-Being Committee (**Appendix G**). Senator Erickson so moved, and Senator Yoder seconded the motion.

Discussion of the motion began with Senator Erickson. She stated that the committee had brought this recommendation to the Senate last month. There were a lot of materials associated with it, and the committee had asked that all read that material, look at it, evaluate it, and vote on this motion this month. The whole discussion had come from a discussion from Senator Huff and the Ohio Faculty Council asking us to look at these issues, and they had indeed been addressed and considered. The committee felt that it should ask of the administration that The University of Akron provide domestic partner benefits.

She continued by stating that she was not going to give the exact definition of domestic partner - all could read this and had read that. The first recommendation was that the University establish a definition of domestic partnership and a specific kind of registration procedure. This was not new; there was a whole lot of material available on the web that showed many forms of many universities who had done this procedure. Secondly, the committee recommended that domestic partnerships be included in the University's policies that addressed employment of members of the same family, including health coverage. The committee wanted domestic partners to be included as well as spouses and families for health coverage, including the point that domestic partner benefits be put into documents given to prospective employees during recruitment. Thirdly, the committee felt that domestic partners should be included in the University's definition of immediate family in the sick leave policy. That was what the committee was recommending.

Senators had the information here on what the committee had considered were the benefits versus the costs. The committee had first summarized it as an issue of fairness, that all employees could have the same access to the same kind of benefits. It was also to be consistent with the University's stated policy of not discriminating on the basis of sexual preference when hiring. Where equal benefits were not available, this policy did not really matter. It would be modeling the diversity and respect for the University all hoped to instill in our students. Finally and very importantly, it was assisting the University in recruiting and retaining capable faculty and staff because major universities in our area - Case Western Reserve and a number of the Michigan universities all had these benefits. What about the cost, she asked? The sick leave policy was not one the committee saw as having a serious cost to it. What the committee was saying was that a domestic partner would, for example, have the ability to get sick leave for bereavement. Members of our committee had had it reported to them that constituents had been denied sick leave for that kind of situation. Finally, as far as the cost of the health care - the committee felt it was something very small. From all of the institutions that had done this, it was less than 2% being added to costs, because this was only a very small subset of potential domestic partners who were going to need this extra benefit. It was not a great cost, but the committee saw it as a measure considered as one of fairness and one that put our University in the company of a great many other universities, ones to aspire to be as good as.

Senator Lillie then stated that he was not going to stand in the way of this particular policy. He thought it was a good idea to provide benefits for people, especially for all people who were

working together; that was just good sense. But just because somebody else had done it, it did not mean it was a good reason for us to do it, which was one thing he had heard. Secondly, this was not fair, in that there might be other constellations that might include people who were more closely related to each other who also would have needed the same thing. So at this point what he encouraged asking to do, on the assumption that this passed, was whether there would be also the possibility of expanding that to other kind of family types. If we were really going to talk about modeling the University by looking at a lot of different types of family situations, perhaps this was the time to look at that. There might be someone who had an elderly parent they needed to take care of. There might be someone who had a brother they needed to take care of, such as our former Senator Oller. So he would like that to also be part of things.

Senator Redle then stated that he was a little confused as to what Senate was being asked. Were we being asked to pass this document? Chair Sheffer replied that yes, Senate was being asked to recommend that The University of Akron follow these points. It was only a recommendation. Senator Redle then asked whether Senate was being asked to determine the definitions, etc., today. Senator Erickson stated that no, Senate was just being asked to approve the recommendation.

Senator Clark then indicated that she was seeking clarification. She knew that the committee chair was not to provide a specific definition, but instead had given some examples of typical definitions that included others who had been in a relationship for at least six months. In looking at the introduction, there was an indication that it be provided to individuals who were in long-term relationships. To clarify for her, she asked whether the committee presumed that the administration would then define long-term relationships, or did the committee hope that at least six months was standard?

Senator Erickson replied that the committee had seen its position at this stage as recommending a process rather than the details of the process. First of all, the University had to accept it; all Senate could do was recommend. It was hoped that the committee itself would have a chance of providing input into how this occurred. Certainly, what was available were a lot of other universities' examples to go on in terms of developing the policy. This was the stage where Senate now was.

Senator Qammar then stated that she did not understand. She had the same questions that were beginning to come clear, but she wished Senator Erickson would answer this point. If Senate recommended all five of these points, would the first one then allow the committee to establish a definition? Senator Erickson replied that the University would establish a definition. Senator Qammar asked who in the University would be responsible for doing that, and would that person bring it back to the Senate? Senator Erickson said that at this stage the committee considered that Senate would be willing to accept an amendment that said that the process be followed in that way. At this stage Senate would have to recommend that the University actually set it up, and the second part would follow. So if an amendment was to be made, that would be no problem.

Senator Qammar said she understood that. The other question she had then was that she found it troublesome to allow The University of Akron to establish a definition, and this body would agree that points 2 and 3 would be incorporated within University policies and benefits without Senate having known completely the definition. She would find it difficult to know how to represent her

college faculty on those points.

President Proenza then interjected one point and two questions for the body's consideration. The point was that these types of questions were really defined by searching legal context, and that obviously needed to be taken into account. Secondly, he asked whether the committee consulted with staff benefits to advise of the cost implications, the budgetary implications? Since he had to leave the meeting, the second question was more general - had the committee also consulted with General Counsel to see which of these recommendations were in line with current Ohio law?

Senator Erickson replied that as far as the cost was concerned, the committee had calculated it and presented it. As far as Legal Counsel was concerned, the committee had not done that. This was something the committee wanted to do.

President Proenza said he asked because he did not want Senate to make a proposal and then find it was legally unenforceable or unimplementable. He suggested that before Senate voted on it, a discussion be held so to recognize what was or was not possible within current Ohio law. Otherwise, the strategy would have to be quite different.

Senator Louscher stated that he had thought Senate had done this several times. He did not understand why Senate kept dealing with this issue and did not define what a domestic partner was. Was that so difficult to do? And how could costs be calculated without knowing what a domestic partner was? Senator Erickson had said that the committee had consulted Benefits about cost - it could be a whole range of costs. Why was it that Senate could not define what a domestic partner was, and why should Senate commit to something that might be very expensive without the committee telling Senate what a domestic partner was?

To which Senator Erickson replied that the definition of domestic partner appeared on the first page. Senator Louscher then said that there were many definitions in the recommendation. Senator Erickson then said that, no, she had said that on the first page the committee had a definition; it said 18 yrs. of age or older and not related. The committee had not done the absolute specifics of a contract, but by having defined it in those terms, and these were what appeared on the first page. It was those terms, assumed on the basis of the percentage of people involved and from past experience from contracts of this same type elsewhere, that was where the committee had made its estimate. The committee had checked to see what the costs were for its estimate based on these statistics from elsewhere where they used definitions that looked very like the one that was here. The committee had not gone through and come up with the exact contract definition, but that was the type of definition the committee had had in mind.

Senator Hebert then said that while he was quite sympathetic to the health care issue and things like that, he could tell all that while he had reviewed the information that was provided, he was in no way ready to make a move on this today. He wanted to know whether there was a way to make a motion to send this back to the committee while Senate was talking about it. Chair Sheffer replied that he could make a motion at any time.

Senator Hebert then moved that Senate send the recommendation back for clarification from the committee. Chair Sheffer asked whether he would at least specify the items that he would like to

have clarified, as that would help. One specified item was definitions. Senator Hebert replied that, yes, definitions were the key issue.

Senator Qammar then asked to make a quasi-friendly amendment to this amendment. She wanted to move that the Well-Being Committee be charged with establishing a firm definition to bring back to the Faculty Senate. She thought it to be in the best interest of the faculty at this point to determine what faculty wanted in terms of benefits for our colleagues, as most of the issues here dealt with personnel issues. Although there was staff representation here, there was primarily faculty representation. It was personnel issues, and she thought it should come from the Faculty Senate first and foremost. She also wanted to recommend that input be generated from Legal before it came back to this body.

Chair Sheffer then asked for a second to the motion. Senator Steiner so moved. The Chair asked the Senate whether it accepted the friendly amendment. The Senate agreed. The Chair stated that the friendly amendment now included definitions and the Legal Counsel advice of the examination of whether or not the recommendation was within Ohio law. Was there any discussion on the amendments? Senator Clark stated that perhaps Senate needed a friendly amendment to the friendly amendment because she would like also included as part of the charge to the Well-Being Committee a recalculation of the estimated costs.

Senator Sterns then said the point he wished to make was that Senate had been offered by the President to include the HR input and the legal input as far as the development process to the committee. In this case he believed that would be positive and would hope Senate would take advantage of that offer.

The Chair then called for a vote on the amendment to send the recommendation back to the Well-Being Committee to answer the questions of definitions, recalculations and legal input. The Senate then voted its approval of the amendment.

VII. NEW BUSINESS

EXECUTIVE COMMITTEE - Chair Sheffer stated that the first item of new business was brought to the Executive Committee by Mr. Elliott Anderson and his associates, the students who came to talk to the Executive Committee concerning the student evaluations for faculty. Mr. Anderson had a few points he wanted to make to the Senate. The body would then move to recommend this to the Student Affairs Committee and the Student Outcome Assessment Task Force.

Mr. Anderson began by stating that as this proposal was really going to be forwarded to other committees, he did not think it was appropriate to discuss. It was fairly long. So what he would like to do was address four major issues that brought about why ASG wanted to conduct this survey themselves. The first one was that the students were not always sure what to expect from classes prior to enrolling. Before he went on, he should say that all of this relates to being able to make an educated decision about which courses to select when they enrolled. Students currently had difficulty determining which combination of classes would provide a comfortable course load for a semester. Students often had to make decisions about which sections of a course they would

prefer to enroll in or must decide between two different elective courses that fit into their schedules. Currently, they had to make decisions based on trivialities such as class location.

The ASG proposal was basically to get more information out to students, by first of all, identifying professors who would be of most assistance to them, and two, just general information about courses and classes. Right now the University Bulletin provided some of that information, but it did not really do an adequate job of determining how much time a student would have to put into a class, and it did not necessarily give a good idea the kind of assignments a student would have to take; for instance, how many papers and the size of the papers, size and scope of the projects. Those were all things ASG would like to address with this proposal. What he wanted to ask is that ASG would make our proposal available to everyone here to get some feedback on addressing these four issues. Other than that, that was really all he had to say, and he thanked the Senate.

Chair Sheffer then stated that the Executive Committee had met with Mr. Anderson and looked at their concerns and was recommending that the Senate direct these proposals to two committees, Student Affairs Committee and Student Outcome Assessment Task Force.

Senator Midha stated that since he was on the Executive Committee, he had taken that report to the Student Assessment Task Force last week, and on this Task Force there was at least one faculty member from a college and also representation from Student Affairs, Dr. Marlesa Roney. This was discussed. Some issues Mr. Anderson raised today were more to the advising part from Student Affairs, but the Task Force had also looked at some other concerns ASG raised relating to evaluations of faculty and printing those outcomes in the so-called blue book. The Student Outcome Assessment Task Force had reviewed the task and had come up with several questions that should be used by everyone on this campus for faculty evaluation. Those were related to outcome assessment. So the Task Force would love to have ASG's input and would like to work together and see whether we could come to a compromise of what could be listed and what could come from advising, and so on. Senator Midha concluded by stating that he just wanted Mr. Anderson to know that the process has begun.

Senator Braun then had a question, because this proposal from what he had heard here by the original speaker disturbed him greatly. What even disturbed him more was what was being discussed in terms of faculty evaluation. Faculty were being evaluated from the top of their heads to the bottom of their heels all the time. Faculty needed more evaluation?

Senator Midha replied that, no, a compromise was wanted. Perhaps every college had evaluations. We wanted to have questions to be used in the evaluation process. If those were already in use, this would not supersede that. This would demand it in the framework we can work with.

Senator Braun then said that it seemed here that there was more and more evaluation of faculty implied in this, like the faculty was not doing its job. He strongly disagreed with that. To which Senator Midha replied that he did not think that was the intent at all. Senator Braun then asked whether the Senate was going to have an opportunity to look at the proposal. Senator Midha replied that, yes, once the Task Force had those questions, they would present it to the Senate.

Senator Braun then stated that one more comment that disturbed him by what Mr. Anderson had said was his request about having more information about which class or section the students should take. This could not be in the University Bulletin because it changed from semester to semester. This indeed should reside with either the undergraduate adviser of that class or the individual professor, or the students should take it on themselves and knock on the faculty's door, which at least in Engineering was always open, about what was going to happen in this class. It seemed to him it would be prohibitive to have a Bulletin without the information required, especially because it was a very fluid type of information. If faculty were changed, while the syllabus may have stayed the same, the methods may be different. So he thought ASG should take these things into consideration and maybe rephrase or reformulate this request in order to make it more realistic.

Senator Zap then wanted to address some of Senator Braun's concerns. She thought the main thing was when students were scheduling their classes, like Elliott had said, right now they were just going on, "This class was in Polsky and this class was in Olin so I did not want to make that jump from there to there, so I was not going to take this class at that time.?" That should not be our main concern; our main concern should be what the class was all about. When students were choosing classes, she knew that for herself, she did not want to be bogged down by taking this class, this class and this class which all required three papers of considerable length and so forth. She wanted to balance her classes out, and without knowing what she was going to be required to do, she could not do this accurately. So she thought that was the main thing ASG was asking for first, and then the other valuable thing with the questions was to find out what other people were thinking. Our goal was not to increase the number of questions that were going to affect faculty raises or anything like that; that was not ASG's intent at all. It was just to help the students.

Secretary Kennedy interjected that she thought it might be a little presumptuous of Senators to try to talk about this document given they had not seen it. The document was not brought to Senate because some very similar questions, concerns and comments that were being raised here were talked about in Executive Committee. That was why the Executive Committee was referring the proposal to these other two committees so that they could take a better look at it in conjunction with ASG. When the committees had had a look at it and had come up with some kind of recommendation or resolution, then Senate would look at it and talk about it.

Senator Wyszynski stated that he just needed a little clarification. Since Senate had not seen the document, was the Senate going to be bound by what the Associated Student Government did or did not do? And would the Student Government just proceed with this anyway?

Chair Sheffer replied that there were several issues Senator Wyszynski was raising. One thing was that in order to get the proposal from ASG to the appropriate committees to look at and work with them to formulate a resolution or a motion to bring back to the Senate, it first had to be brought to the Executive Committee. Then the Senate would vote it up or down. Now the students he imagined, if they wanted to, could do anything they wanted.

Mr. Anderson commented that this was something that ASG recognized as a very sensitive issue and that was another reason why ASG brought it to Faculty Senate, not just because ASG needed Senate support, although it was very much needed. But ASG wanted to make sure it was done

right and done responsibly. ASG had seen many cases where similar things had been done like this by student governments alone and had caused all kinds of problems. ASG did not want any problems, and he was sure members of the faculty did not want any problems either. So this was not to put a strain on faculty members. If he could make a comparison to what this blue book project was supposed to be, it was just supposed to be a little bit better for students to refer to this book than to go to one particular friend, for instance, and ask about this course. Because naturally, if he had had a bad experience with a professor and the person he was giving information about, the friend getting the information was going to have a bad idea about that professor. He thought that it was totally unfair to the faculty members more so than a more general synopsis of what a class or session was about.

Senator Midha stated that that should not be of great concern. The whole idea was that the students wanted to have their own questionnaire and come to their classes and have their evaluation. ASG had been told we would like to work together. ASG's other concern was publication of some information and to discuss that for the benefit of the students and faculty. The committee was acceptable to that, and that was all that was being said at this point.

Senator Sterns then added as a point of additional clarification, that historically, at least for the 30 years he had been here, there had been a time when such had been published.

Chair Sheffer stated that the Executive Committee was referring this to the committees previously mentioned. Senator Midha wanted to make sure. He was aware of the Student Outcome Assessment Task Force, but he was not sure which Student Affairs Committee. Senator Marino said that she was a member of the Student Affairs Committee and they had met once with ASG and were in discussion and had no recommendation at this point.

The Senate then voted its approval of the motion.

RTP REVISION TASK FORCE - A motion to approve the revisions to the Faculty Manual Section 3359-20-037 was made by Senator Midha and seconded by Senator Gunn. The floor was then open for discussion of the motion.

Senator Weaver began the discussion by stating the he wanted to speak on behalf of Senator Huey-Li Li. Her suggestion had been emailed to all Senators through the Senate email list serve. Senator Huey-Li Li was recommending that Senate strike from this new RTP document any reference to professional conduct in terms of when it was in regard to retention, tenure and promotion, if Senators noticed in the document and looked at the three points she's raised against professional conduct as a criteria.

Chair Sheffer asked whether Senator Weaver was making a motion to amend the document to strike all wording referring to professional conduct sections. This was seconded by Senator Steiner.

Senator Foos stated that she had not received that email and was wondering whether Senator Weaver could summarize Senator Huey-Li Li's justification as to why Senate would strike that from the document.

Senator Weaver began by reviewing three points. First, Senator Huey-Li Li had stated, "I believe research/scholarship, teaching, and service are adequate criteria for evaluating faculty's overall performance. It is not necessary to add professional conduct as the fourth criterion." Then she went on, "Second, the proposed RTP document appears to subsume codes of ethics under professional conduct. However, I am not sure that professional conduct could circumscribe codes of professional ethics. Nor am I certain that we should use codes of conduct and codes of ethics interchangeably. I might be splitting hairs, but it is problematic to assume that there is no distinction between codes of ethics and codes of conduct." Then she said, "Third, I am deeply concerned about the proposed policy's allowing the inclusion of standards that are not currently included in the draft of the new document. The statement starts with professional conduct as defined in written standards including but not limited to the following... I am not sure that this policy will facilitate a fair evaluation of faculty when faculty may not have prior knowledge of the standards by which they will be evaluated."

The Chair asked Senator Weaver for clarification, if he were referring in the document to section F(d), pg. 7 and 8. Senator Weaver replied that he was speaking on behalf of Professor Li and was not sure exactly what she had meant.

Senator Sterns then stated that while he did not want to belabor this, he did think it was important that all thought about the professional training roles that we had, especially at the graduate level. For instance, consider the numbers of programs like the American Psychological Association which had definitive standards in terms of professional conduct as well as the National Council of Social Work, American Nurses Association, and we could add in a number of other professional organizations. The list was fairly extensive, and so it was really impossible not to make an evaluation of an individual in his/her particular professional area. He thought he understood the intention of the motion, but he thought it would be impossible for him as a member of the faculty of the Department of Psychology not to consider the professional standards of that particular association, although there were multiple psychological associations, and again, not everyone was licensed. But at the same time, if licensure was a part of this, there were certain obligations under that as well. The same would be true of social work, counseling, and a number of others.

Senator Clark then added a question she had about whether the APA Codes of Ethics and so forth were synonymous with codes of conduct. She thought that was one of the concerns that Dr. Li had in her letter; perhaps they did mean different things. And perhaps collegiality could fall under a code of conduct notion rather than professional ethics, which she did not think Dr. Li, nor did she, would have any problems with.

Senator Qammar then stated that she thought it needed to be very clear that the committee had decided that the term collegiality was not appropriate in the RTP document. The committee had felt that things stated in other sections of the Faculty Manual that dealt with aspects of what we would perhaps define as collegiality, were not something needed to use as benchmarks for RTP processes. There were other aspects of administrative policies which could look into those aspects, but that professional conduct was in fact an important thing for faculty to begin to maintain some control over. Because right now if one looked at section D at some of the policies the committee labeled, there had to be a written policy. Policies right now were University policies, and when faculty members within our academic units violated these policies, faculty themselves

had absolutely very little say about what happened to their colleagues regarding the circumstances in which they violated these policies. It would become completely an administrative affair. There were committees that spoke toward making recommendations to the Provost, but in the end, the Provost and the administrators determined exactly what types of things would happen to a faculty member who had been found to violate these codes of conduct. The committee felt that in keeping with having an RTP process that was faculty-driven, professional conduct and the consequences of that did fall into an RTP area.

Senator Erickson said that she wanted to speak against the amendment also. She agreed with Senator Qammar and not only in theory but in practice, because of course in those places we were talking about illegal conduct. But within a whole experience her department had had over the last few years, they had had an RTP committee to try and speak to issues of professional conduct. And her department's RTP committee had not been on strong ground, because it was not in the RTP document. Maybe they should not have had to do that, but it was unfortunately true. In one sense it was an unfortunate situation in her department as it makes it possible for one to think that there were ethical violations when they had been great legal violations. She felt that faculty really did need to have that as part of the document.

Senator Louscher stated that he was deeply troubled by this amendment. He asked for help with the amendment in the sense that if he had a junior faculty member up for tenure or promotion who had minimally met the publishing teaching requirements but had refused to participate in faculty meetings and had been less than cooperative with faculty and who frequently missed faculty meetings, under this amendment would that mean that the RTP committee in my department would not be able to consider these kinds of activities?

Senator Lillie then said that he hoped he could answer two questions with one response. Dr. Li was his colleague in the College of Education, so he felt bound to explain what he thought she meant. What he believed she meant was not that professional conduct should not be considered, but that it did not have to be a separate criteria. Professional conduct was built into teaching, research and service. That was the statement that the AAUP itself had made. She was set on that. He thought he was explaining clearly what she meant just so all were aware of that and there was no misunderstanding. So her answer then would be yes, you would consider that because it was all part of the process anyhow. However, from the sense of the front ground Senator Erickson was talking about, it might be a different story.

Senator Sakezles wanted to speak against the amendment as well. It had just come in last night so she had not read it until right now. One thing that concerned her was Dr. Li saying, "It is unthinkable that faculty violation of sexual harassment policies, affirmative action policies, alcohol policies, drug-free work place policies won't negatively affect performance in teaching, research, and services." Senator Sakezles thought the assumption that someone who was sexually harassing a student would not have a negative impact on their research was just absolutely false. Could one judge that person by his/her research, service and teaching? She did not think that necessarily was the case.

Senator Steiner then added that his problem with the way this document stands now was the fact that there could be policies, as Dr. Li had said, that one would be evaluated on and not even know

about. He did not think that any had problems with things that were spelled out here as long as everyone knew what the rules were. That that should be considered as part of the RTP process? That people would be held to standards that they were not informed of or were not spelled out in the document, he did not think was right.

Professor Stokes then addressed Senator Steiner. The reason it said, "including but not limited to" was that there might be policies created in the future. So one could not possibly include every possible policy. She suggested that it was the intent of the RTP Task Force that as policies were developed, they would be added to the document or added to individual departmental or college guidelines. It had been the intent of the Task Force that this was as open a process for the candidate as possible. It had been the RTP Task Force's intent from the very beginning that the candidate had as much information so they knew exactly what standards they were being judged under. But one could not write down everything, because other things might have come up. New things certainly could be added either to the document itself or to departmental guidelines so that they could address specific issues.

Senator Steiner replied that he would agree that changes needed to be made or that the document needed to be amended, but he did not think the way the document stood the changes could be made without amending the document. He thought that should be up front, that there were changes to be made in the policies that were to be used and those were the policies we would follow. Hopefully, that would happen.

Senator Louscher reiterated that it seemed to him that the harm created by this amendment was greater than the potential harm that might emerge from too vague a definition of the issue. To pass this amendment was a serious infringement on the power of the faculty of each department to make professional judgments about what kind of department they wanted and what kinds of standards they wanted for that department. He could see the argument that there was some concern about the definition, but the solution was inappropriate for the problem.

Chair Sheffer then called for a vote on the amendment to strike section F,D 1 through 10. The Senate rejected the amendment.

Senator Erickson then proposed an amendment which she apologized for not getting to Senators before today. It was a proposal to amend section F(12) that related to college-wide

RTP committees (**Appendix H**). The motion to accept the amendment was made by Senator Erickson and seconded by Senator Hebert.

Senator Erickson started the discussion. The amendment asked to replace section F(12) with a different section. That was, to have removed college-wide RTP committees, and to have replaced college-wide RTP committees with college-wide guideline committees. The amendment was saying that each college should include in its tenure and promotion guidelines just the guideline committee. The part that was significant was the part on the back of the page which was the one that related to the functions of that college-wide guidelines committee under D. The most important part of that was no. 1.

What it suggested was that the college-wide guideline committee should establish criteria for evaluating departmental tenure and promotion guidelines. These criteria should relate to quality of work performance, professional activity and service. The requirements should have reflected the goals of the college and university, been consistent with the standards of the discipline and the highest degree awarded by the department or unit. This was not a guidelines committee that was trying to set a specific criteria that goes in terms of a number of articles or something like that, that would have gone across all of the units in a college. But to set them with respect to the standards of the discipline and the highest degree awarded by the department or unit. The criteria that would have to be included would be meeting the procedures, because indeed nothing in this amendment was against what the President had said was really important, that the procedures across the University should be the same. So that was one of the roles of the college-wide guidelines committee, to make sure that the guidelines were in fact the same in each of the departments.

Then of course after those criteria were set up, to review all departmental tenure, promotion guidelines to ensure that these guidelines met or exceeded these criteria. Naturally, the departments would have to provide the committee with their guidelines including the rationale for the standards they had set, based on college guidelines and on the standards within their discipline and with their requirements given their particular final degree. Then of course make recommendations to the dean regarding whether those requirements had been met. Finally, the committee was to review the guidelines and record of the college, not only the guidelines but also the record with respect to having used those guidelines of the college or departments every five years, and to recommend their acceptability or change to the dean. That was the proposed amendment.

Senator Erickson continued by stating that the President had said that the University wanted uniformly high standards. In fact, he had said today the University did not want a department to say it wanted to be the best of the worst. The University wanted to be talking about the best of the best. She thought that the idea here was that within a college one could look at the standards of the departments within one's college and have said, "Right, we thought that these levels were great, these levels should have been improved." Those would have been the kinds of goals that the committee would have worked on developing. And then the committees would have asked the departments to evaluate themselves in terms of that. How did an Economics Department compare itself to economics departments of the same type? With a masters degree, did a department have the same tenure and promotion criteria that another department had? What could a department have done about improving itself?

That was the idea behind the proposal. And as far as speaking to this motion, Senator Erickson was an economist and as the President said today, it was not the method that was important but that indeed uniformly high standards be met. As an economist, she wanted it done efficiently. She wanted it done at the lowest possible cost, and one problem with college-wide committees was the cost. The cost was a whole redundant set of very large quantities of time spent each year in a very concentrated fashion to look at these kinds of things. There was a real opportunity cost in that because of all the other things one could put one's time and effort into. Now it depends on what the extra benefits of that were, and this was where authors of the amendment could not see that the RTP committee was relevant. Senators could see in the outline here one set of the arguments that was involved. All could see that we were relating here to particular cases of whether or not

people had met the guidelines, whether or not they had met the goals of the department.

She continued by stating that, as Senator Qammar who was on the RTP committee, had pointed out to us at our college meeting, we were dealing here with the gray-area cases. Not the ones that were quite obviously going to be denied or obviously accepted, but the ones that were iffy. Senator Erickson stated that she had had experience recently of having to work on an RTP committee of somebody outside her discipline. She could tell whether their work was good or bad, but if they had come up for tenure, it was her role to review. If somebody had said, "Well, I did not know; it was out there in the middle," what would she needed to have had? She could not have made that kind of judgment. She would not have had any real ability to do this; that was not where her expertise was. She would have to have gone to outside review. One of the requirements within the RTP document with which the authors of the amendment did not disagree was outside review. In fact, the authors felt that outside review could be amended to be made even more clear and tighter. But it was the outside evaluators chosen in an objective fashion that could provide that kind of input. So the benefits were not there.

Finally, she said, there was the accountability. In economics we talked about incentive capability. That the people who worked to do this also gained something at the same time. In an ordinary RTP situation, that was easy. One was talking about the people one was going to live with for the rest of one's life and for the whole future of one's department. The deans made evaluations on RTP committee recommendations to the department. Therefore, his performance was in fact evaluated on how good his college was, so that made sense. But a college-wide committee was not going to have that kind of accountability. They could just walk away, go back home, and what did it mean to them? Given that there were no great benefits and there was a great cost, surely there was another way to come up with the same thing - uniformly high standards. It was done by doing this kind of guideline committee.

Then the college as a group looked at the goals of each department and asked the department to see where one was now and where did one want to go? Now that was a reasonable thing for people to evaluate at a college level. One thing that had come up that the Provost mentioned was the sense of collegiality. That was where a sense of collegiality was gotten. When trying all together to improve the college, and the members of the departments were asked to come up with guidelines that do that and put RTP in that kind of a framework.

Finally, again, once that had been done there was a system that could be used with the present system. Of course, cases were not always easily decided, but with outside review the dean could then have made those kinds of decisions. Senator Erickson thought that was very reasonable, rather than a committee that otherwise was going to have to go to that same outside review anyway. Here was a much more accountable committee, because a committee that worked on that set of guidelines was working on the improvement of its college directly. And clearly, if in fact that improvement occurred, it was going to get resources. She thought there was some real incentive, not to mention the fact that it did not have to be done in a hurry over a month-long period.

Senator Qammar then spoke against the amendment. She stated that since Senator Erickson had mentioned her name, there were many things both would continue to disagree about as

inappropriate within this body. Actually, Senator Erickson's amendment requested this body to have done two things, in fact. It first requested that the body completely remove the college-wide review committee, the committee whose function as the Task Force saw it, was one which allowed a significant portion of additional faculty input within the RTP process. So she wanted Senators to be clear that approving this amendment would be removing that additional level of faculty input into the process, because that was what would happen. Right now there was the department level which made a recommendation, then a department chair, then a dean, then a Provost, with no additional faculty input to have balanced any of those additional letters of administrative recommendations that went forward. The RTP Task Force had considered that to be unbalanced and would not fulfill its mission of an RTP process being significantly faculty-driven.

Senator Qammar continued by saying that Senators, in addition, were asked to replace it, to not only remove a faculty-driven college-wide review committee, but to replace it with guidelines. She completely agreed that those colleges who wanted to have a process in place in which they had guidelines was very appropriate. She stated that those colleges should do such a thing. She thought it went completely in line with what the President had said regarding uniformly high standards. However, the committee dealt with something that happened to an academic unit or program, and not what happened to a candidate up for tenure and promotion. There was a process right now by which academic units could change their criteria. If a college would like to also incorporate a college-wide guidelines committee, there was that review to get to the present mission of everyone who aspired to higher guidelines. She thought that was the appropriate place to do it.

Senator Lillie then stated that he wanted to make sure everybody understood that the college-wide review committee only applied to tenure and promotion, not for reappointment.

Senator Yoder then spoke to the amendment. Her first point had to do with the college review committee, and whether it really was going to meet this standard of having uniformly high standards. Because at this point it was hamstrung by the guidelines that were established, so she did not see it as leading to that goal. Her second point had to do with the supposed removal of the layer of faculty input. She would question the relevance of that input. She thought the important input came at the department level where there were people in the field making those judgments and using the judgments from external reviewers. She did not see it as appropriate to have an external faculty committee added to that list. Actually, having experienced this process in both her tenure and two promotions to associate and full at another university, she had seen this process work terribly. It put candidates in a position where they had people who were unfamiliar with your discipline making serious decisions about what happens in your department.

Senator Pope then said that he thought the amendment was good simply on the basis of greater economy of action, and he appreciated it for that.

Senator Huff asked whether this amendment came from the Well-Being Committee. To which Senator Erickson replied that it had come from her. If Senator Huff wanted to speak to that, it had come out of the discussion that took place with Buchtel College Council. No, it was not a motion from Buchtel College Council either; it was several of us at Buchtel College Council getting together and deciding that we were concerned about the college-wide RTP committee and it had

not sat well in terms of the lack of economy and effort, to answer the President's challenge - what he wanted was uniformly high standards. Was this the best way to get them? What we all felt was that (via unanimous motion) there was real concern with college-wide committees. That was stated by the committee. Their statement did not go further than that, but they had said there was real concern. It was out of that statement that we developed it. Now some departments within her college voted against it unanimously, but that was not her department. She just took any concerns and she spoke for herself, certainly, but also for numerous people within her college.

Professor Stokes joined the discussion by asking Senator Erickson a question and for a point of information. Under (d) in her amendment, she referred to acceptability or change to the dean. The document itself as was currently practiced, had guidelines that had to be approved by the Provost. Would her amendment continue to be approved by the Provost?

Senator Erickson replied yes. There was no way that all of the pieces of this amendment had undergone all the changes necessary given the time they had had to work with it. She was sorry it had not been possible within the time to do that. Yes, she did not mind that as a friendly amendment to include that it goes to the Provost.

Professor Stokes continued with a question on (b) at the bottom of the first page, that the committee in colleges with departments should have no fewer than five members. She assumed that Senator Erickson meant to have a member from each department if it were a college-wide committee - would she not? In a college that had more than five departments, would one want a representative from each department on one's committee?

Senator Erickson then said that it said no fewer; one could.

Senator Lillie then stated that he would like to join those people who would courageously go on record as being for higher standards; he thought we all were. One of the things the Task Force had done in this almost 10-month process was to spend a whole lot of time listening to individual faculty members. Those people who were on the committee could attest to the number of questions that we got and we tried to deal with from individuals as well as from the college. It sounded to me like there was continuing concern here, at least from some of the faculty members, and he was not sure where to go with this. The Task Force had in the past said we would listen to what faculty had to say and would try to take it into account. It did sound to him, however, that from what the body had been presented with, there was a lot of processing that needed to be done before all knew that it was clear, what it meant, and how it fit into the rest of the 46-page document. So he would reluctantly but still speak out against this particular amendment at this time. He did think that it might then be possible to go forward and to discuss this again at some future time. Perhaps some language that would be acceptable could be found.

Senator Erickson then stated that she thought there was a problem as she understood Senator Lillie's comment. She would have liked to have had more time so that we could have done all of that. We only had a final version of what the document was yesterday, but here we were not talking about, let's get this through the way it was and then change it. We were asking for something and that was recognized clearly by Senator Qammar. And Senator Erickson agreed.

She and Senator Qammar disagreed on this but had a lot of agreement on other things, but it was a replacement and that was what Senator Erickson had said. Clearly, what was being said was to remove a central portion of the document and replace it with something else. She thought one could not say that that sounded like it might be an idea but that the body needed, to look at it further unless Senator Lillie was prepared to say the body needed to look at the whole document further. Senate could not pass the document in its present form and then have said, let's try at a later stage to change the process. She thought it could not be done that way. She was afraid that Senator Lillie's option was not a viable one.

Senator Foos then asked whether there would be any way to divide this amendment into two parts, because one was the issue of removing the college-wide committee and the other one in which there were some problems with the way the committee had drafted the criteria that there might be some questions there. She was wondering whether the body could separate it into two separate amendments that could then be voted on to speed up the process.

Senator Erickson stated that she thought that as a procedural matter, the drafters of this had a problem. They did deliberately not say that they just wanted to vote against college-wide committees and not have had what they considered a legitimate goal and to think through what the alternative would be, and that's why we felt they went together. But if you wanted to separate them on procedural grounds, and if there is concern with other people that it should be done that way, I don't think that we mind.

Senator Foos stated that she had heard some people say they had some issues just on the way the amendment had been written up, and she would hate to have the one issue fail because of some minor problems with the way the second issue had been written.

Senator Sterns then commented that he was in great sympathy with this suggestion, but he thought that there was an issue here for all. Senators were not here representing only their own personal opinions; we were here representing our colleagues. So he thought the introduction of this amendment was something that he'd like to have the opportunity to discuss with his colleagues in terms of the college-wide committee as well as this amendment. He has had very strong messages from his colleagues, and he was trying to listen to the best of the arguments and to act judiciously. He did not think and did not know how the rest of the Senators felt, but this was a very dramatic change in the direction.

Senator Qammar then indicated she wanted to speak a little bit to the issue of college-wide committees generating guidelines and criteria for other academic units, or at least providing input into that. Within her college they had a fairly homogenous mission - all Ph.D. granting departments, all undergraduate granting departments - they were actually the only college on campus that did all of that. What happened was they actually had a college-wide guidelines committee, because within each of their academic units they had exactly the same criteria and exactly the same procedures except where they did split up by departments when they implemented the RTP process. They found that it was very difficult, even within a college that was as homogenous as they were, for people on the outside of an academic unit to be able to appropriately decide criteria for other academic units. They in fact had unfortunately gotten the most general of criteria for RTP that had come out of that mix.

They had found it very difficult to understand how research dollars that were received by faculty members - how easy they were to get, how difficult they were to get, as well as how difficult it was to publish within certain peer review journals. They had found it very difficult to understand the rigor at which it took to teach a variety of different classes, lab classes, design classes, freshman classes. Those things were most appropriately decided within the academic units. She thought the issue of generating officially within the document a college-wide guidelines committee for every college and saying that that committee would generate better criteria than an academic unit could do or that it needed to be officially processed within this RTP document in replacement of a review process was misguided. It could in fact just by defining criteria for people have pitted one department against the other. She knew that she had heard the argument that a college-wide review committee also could pit one department against the other because they were reviewing people on the outside. But then that would be a case of people who were absolutely not doing their jobs properly, that they were in fact not following criteria, they were not looking into recommendations. Of all the times we had heard the stories of people where college-wide review committees had not worked well, it had been a problem in the implementation. She absolutely refused to say that the faculty on this campus could not appropriately implement a review process.

Senator Hebert said that while he appreciated a lot of the different points that were being made, he would like to address his comments from a business point of view, being in the College of Business. When they did business process re-engineering, they looked at a process and tried to simplify it, make it easier and more streamlined. Himself and a number of colleagues in the business department did not see this as that kind of effort. It seemed to them that it was making the process more complicated. Some of the arguments that had been used, such as there was a department chair who was an administrator; he did not typically look at department chairs as administrators. He looked at it as sort of a quasi-position, so there was a faculty position, a quasi-position and the dean making the recommendation here. His opinion about the matter was that a college-wide review committee just made it easier for administrators who were not doing their jobs or did not want to take certain responsibilities to do things. He thought that they were looking for another place to put the blame or something like that, because he did not necessarily think there needed to be another level of administration or review. The College of Business had a fairly uniform department, much like engineering. If he were in Arts & Sciences, he would hate to be on a college-wide review committee because of the diversity. He actually thought it might work reasonably well in his department, but he thought that the overall issue was that the body was setting in place something here as we went back and redesigned this thing that was more complicated than what we had gotten. We ought to have been making it more efficient, more streamlined. He thought the motivations were not necessarily what they might have seemed on the surface.

Professor Stokes wanted to address the point that if indeed the Senate would vote to replace this section, it would be very problematic in the fact that there was reference to college-wide review committee throughout the document. The entire document would need to be addressed; replacement alone would not be enough.

Chair Sheffer then offered a suggestion. Would the body entertain a motion to recess for one week to consider these changes, to tighten up the changes? Would the body entertain a motion to do so

and to come back next Thursday?

Professor Stokes then asked for two weeks, please. The Task Force could not do it in one week, she said. Chair Sheffer called for someone to make that motion. Senator McCollum so moved; Senator Midha so seconded.

Senator Gibson then had a question. If the body did take this recess and then chose to come back two weeks from now, if one had concerns other than the ones that had been addressed thus far, could one bring up those concerns at that time?

Professor Stokes replied that the body had sent them to the committee, so we could address them.

Chair Sheffer pointed out that this was a recess, so the Senate was not just debating this one amendment. It was to continue the whole thing.

Senator Qammar then stated that she needed some clarification. She knew that the recess was that Senate would come back and convene in two weeks, but who was actually going to clean up the details in the document?

Senator Erickson stated that the authors of the document could go through it, but, she was not quite sure whether the committee wanted to do that, because it was not their motion.

Senator Midha pointed out that the amendment had not been approved yet. Senate would have to work on the amendment first and then proceed to do that.

Senator Erickson said that what was being asked was to amend the amendment by changing all the other parts of the document that would relate to that issue.

Senator Sterns then wanted to point out that the advantage of the 2-week recess was to allow for a chance to discuss with colleagues and fulfill roles as Senators representing a variety of constituencies.

Senator Redle then followed up with a point about being able to discuss this with colleagues, about whether Senator Erickson or some of her people could through Marilyn, email a copy of this so it could be distributed electronically to the Senators. To which Senator Erickson replied, Sure.?

The Senate then voted its approval of the motion to recess.

VIII. GOOD OF THE ORDER

The Senate gave Dean Creel permission to speak. He began by stating he was going to say something that was likely to make him very unpopular, at least temporarily. There was one aspect of this issue, and he had met with department chairs at the college and told them that certainly this in some form or other would pass through the Senate and that would require all the departments to

review their guidelines in order to bring them into consistency with University policy. When they did that, he would like for them to consider revising departmental criteria to specifically include the scholarship of teaching and to consider more flexible work loads, in the sense that the department could try to find a way to have the best researchers do more research, the best teachers do more teaching, and have each of them respect each other for doing that and somehow the criteria for reappointment, tenure, promotion and raises would all reflect those criteria.

Now if we did that, the way this policy was currently written, those new guidelines would only apply to people hired after we had gotten new guidelines. He would like for the Senate to consider taking out the grandfathering clause in the criteria and have the new criteria apply to all the present employees of The University of Akron. He had heard Provost Hickey say that the Board of Trustees was adamant that the guidelines that applied when a person was hired would hold when they were to be considered for tenure, promotion, and so on. But that was a much firmer stand than even the AAUP took. The AAUP statement which he could not quote here, said that criteria could be changed after a person was hired and had to be done in a reasonable way. It had to take into account when the person was hired relative to when the new criteria was put in, and the committees, department chair and dean had to respect the person as the criteria had been changed in the middle of the tenure probationary period, if it were tenure under discussion. He would somehow like to have criteria that applied to everybody and not have one set of criteria for this and always having to figure out which criteria it was that dealt with that person, and instead have a set of criteria that applied to everybody.

The Provost had told him that in spite of the Board of Trustees' stance, if the Faculty Senate by some strong, positive vote would come forth with a statement that would handle things without grandfathering, the Provost would consider taking that to the Board to try to get them to consider it. So Dean Creel requested that the Senate consider taking out the grandfathering and putting in something that would work.

Senator Gibson then spoke in response to Dean Creel's comment. The concerns that her colleagues at the Law School had, particularly in Nancy Stokes' document - the one that said the document was retroactive - implied it appeared it would start in 2002. Senator Gibson had articulated this to Nancy Stokes and to her other faculty members who supported this idea, which was giving rise to certain procedural process concerns. Then the law had to be considered, especially as it applied to the Law School, to external reviews. The process here that the external review was clearly procedural in nature may have had certain substantive implications. Nancy had told her that they were going to take it back to Ted Mallo for inspiration. She asked whether Mr. Mallo had responded to that. He replied that he had not as yet.

Senator Gibson then stated that that was the current concern for her and for several of her faculty members. In connection with that, there was this idea that because being a member of the Law School they were also governed by the American Association of Law Schools, which in connection with the EPA provided their accreditation. This was different from accreditation in the colleges, generally speaking. Their standards said that one could not change standards for a faculty member one she/he had been hired. She/he was subject to the standards that were in existence at the time of hiring. The only time alterations or changes could be made was if it were a minor revision and sufficient notice had been given. The Law School did have questions as to

whether these were minor revisions and whether or not a year of a grandfather clause was sufficient in terms of substantial notice. She would feel very uncomfortable, and she thought this went back to something President Proenza had said with respect to the domestic partners document, that the body needed to make sure that the document we were acting on was in fact a legal document.

Senator Gerlach obtained permission to ask a question. On this point he wondered whether it would be legal, moral, just, and so on in order to avoid the grandfather clause, whether it could be allowed or have the opportunity for faculty members to choose at this transition period whether they insisted upon being judged by the criteria by which they had been hired or whether they would now accept the new criteria of the University. He did not know whether that was possible.

Senator Louscher then called for the question, but Chair Sheffer stated that we were in recess, and that this was the good of the order.

Senator Gibson stated that she thought the problem they had in the Law School is that this was not considered criteria. While it's procedural, one would not be able to make that choice. They'd be bound by that procedure, but it would be viewed as predetermined.

Chair Sheffer then stated he believed these were issues the Senate would have to raise in two weeks when it came back from recess. Marilyn would identify where Senate would meet in case this room was not available two weeks from now.

Dean Creel then asked to speak once more. He asked whether it would be possible for the Senate to invite Mr. Mallo to address the Senate of the legalities of the grandfathering clause. Senator Erickson added that, obviously, external review was involved also. Chair Sheffer stated that Senate would take any advice we could get. He then asked Mr. Mallo whether he would be willing to do that, to which Mr. Mallo replied that he would.

Senator Gibson commented that in light of that question, one had to wonder whether or not there were other procedures within the document that while viewed on its basis for procedural might have had substantive implications to procedural causes or issues and whether or not that should be looked at.

Senator Yoder then had a question about the process. If Senators had other concerns about the document, how were they to go about raising those in the next two weeks? Chair Sheffer said to send those to the Task Force if a Senator wanted to raise questions. But if Senate wanted to discuss them and debate them, the body had to do that two weeks from now. Senator Erickson asked whether potential amendments could be distributed to Senators, and Chair Sheffer asked that they be sent to Marilyn to make sure they got to all of the Senators.

IX. ADJOURNMENT

Parliamentarian Gerlach pointed out that the Senate had to move to recess and not to adjourn. Chair Sheffer called for that motion. The Senate recessed at 5:08 p.m.

Transcript prepared by Marilyn Quillin