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The University of Akron Faculty Senate Chronicle

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# Transcript from Faculty Senate Meeting February 2, 2012

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**DRAFT– Verbatim Transcript notes for *The University of Akron Chronicle*  
February 2, 2012 – Faculty Senate Meeting**

The regular meeting of the Faculty Senate took place Thursday, February 2, 2012 in Room 201 of the Buckingham Building (BCCE 201). Chair Sterns called the meeting to order at 3:02 p.m.

Of the current roster of sixty-eight Senators, 46 were present for this meeting. Senators J. Miller, Rostedt, Semilia and Vinnedge were absent with notice. Senators Apple, Chyi, S. Clark, Cushing, Douth, Hamed, Kimble, Lyndall, C. Miller, Queener, Ramcharran, Sancaktar, Srviatsan, Thomas, Webb and Zhe were absent without notice.

**I. Approval of the Agenda –**

Chair Sterns – I'm going to call the Faculty Senate to order. Order in the house, order in the house. We want to get started on our new semester. We have lots to do, we have accomplished a lot already in the past period. Let me start by asking for an approval of the agenda. Is there a motion for the approval of the agenda.

Senator Erickson: So moved

Chair Sterns: Second? (second by Senator Chyi)

Chair Sterns: All in favor please say aye. (aye) Any opposed? (none)

**II. Approval of the Minutes -**

**Chair Sterns** – We also have the consideration at this point of the minutes of October 2011, we are in the process of getting all the minutes caught up, but these have been out since November, if there are no additions or corrections can I have a motion to approve the October minutes.

(motion by Raber, 2<sup>nd</sup> by Hajjafar) Dr. Hajjafar and Dr. Raber will be of record.

**II. Chairman's Remarks and Opening Comments –**

Chair Sterns: Let me start by saying a couple of things about and I want to remind everyone it's very helpful when senators are speaking if you rise. We have the issue still of the quality of recordings so please keep that in mind. The other thing is I want to say in order to coordinate our committee work it is essential that all of our committee chairs coordinate with Heather regarding the scheduling of meetings so that we know when and how that they are taking place. One of the issues has been that we don't always know, people will call the Faculty Senate office and ask when a particular committee is meeting and unless the chair coordinates this with Heather she's not able to be a resource to everyone. And I want to make we will be doing everything in our power to get all of our committees up and running, I can't tell you how important it is for those committees to function and I hope that you will take those assignments seriously because we have a number of decisions that really depend on our committee structure. Let me also say that I know I'm not going to preempt President Proenza it's an exciting day at The University of Akron and what I want to say to you is that it's extremely important that as we move through this coming semester I'm seeing more and more substantive issues regarding educational issues coming to the Senate. And so those who have wondered in past years are we really involved in decision making, are we really involved in deliberating about important issues, are we involved in strategic planning are we involved in implementation of various academic curricular, I think the answer now based on our past experiences is the answer is yes and we need to do that and do it with even greater intensity to move ahead in our work here at the university. Let me now use the rest of my chairman's remarks to deal a number of obituaries which of course are always sad to hear about. Let me begin.

Frank Horn, one of the University's lead architects who managed the construction of many New Landscape for Learning improvements, passed away on December 10th. He was 53. Horn earned two bachelor's degrees from Kent State — in architecture and in science and environmental technology. He also completed programs in hotel and resort design at the Harvard University Graduate School of Design. After college, Horn worked for a series of local architectural firms before opening Frank Horn Architects in 1989. Among several local projects, Horn's firm designed the welcome center and several animal exhibits at the Akron Zoological Park. Horn joined the University in 2003 as director of architecture design and construction. Horn also was active in the community. He was graduate of Leadership Akron, and held leadership roles with

the Akron Rotary Club, the Rotary Foundation, NEC Invitational, Northern Ohio Golf Charities, the All-American Soap Box Derby, Habitat for Humanity, Weathervane Community Playhouse and the Akron Jaycees.

James Sullivan, age 86, of Aurora, passed on 9 Jan. 2012. Jim served his country in the [U.S. Navy](#) during [World War II](#) and enjoyed a successful career as a Corporate Executive. Forever the teacher and mentor, he was an adjunct faculty member of Akron University for 16 years, taught at Cleveland State University, and was an active member of S.C.O.R.E. (Service Corps of Retired Executives) for 20 years.

Edward Clarke, 74, died Dec. 20, 2011, following a two-month illness. Edward Clarke retired from The University of Akron in 2000 as assistant director of undergraduate programs in the College of Business Administration after more than 35 years of service. A lifetime resident of Akron, Clarke earned a B.S. in Education at Kent State University and an M.S. in Academic Counseling and Secondary Education at UA in 1966. Clarke was a member of several organizations, including the Association of The University of Akron Retirees.

So if we all could rise for a moment of silence in memory of these departed colleagues. (Senate observed moment of silence) Thank you very much.

I've been also asked to remind everyone that the Hearts for Humanities is going to be taking place Thursday, February 9<sup>th</sup> in the Student Union Ballroom. If any of you have interest and have not, it seems to have snuck up on us this year so we better if anyone has interest Heather can give you more information on that. So with those as my remarks I will turn to the reports of the Executive Committee. Secretary Bove.

## **Reports**

**Executive Committee** – Frank Bove – Thank you Chair Sterns. Good afternoon senators, on behalf of the Faculty Senate Executive Committee I'd like to wish you all a happy new year and a successful and productive spring semester. After our last Senate meeting the Executive Committee first met on December 8<sup>th</sup>. During this meeting Dr. Yvonne Bruce was appointed to

Faculty Senate ad hoc Committee on Part-time Faculty Issues. The EC also started deliberations on the composition of the ad hoc Committee on Criminal Justice Curriculum and the Role of Summit College. The EC appointed Senator Rich to chair the ad hoc committee. On December 15<sup>th</sup> the Executive Committee met to continue deliberations on the composition of the ad hoc committee and also to prepare to for the meeting with the President and the Provost later that afternoon. The President began that meeting by reporting on the state capital budget for higher education and some of the challenges and opportunities he sees on Kasich's budget. The conversation next turned to the formation and charge of the ad hoc committee. All parties agree that the appointed ad hoc committee members must be and remain neutral through the process and the ad hoc committee will complete the investigation by April 15<sup>th</sup> in order to bring a recommendation to the Senate floor for action by the May meeting. The Executive Committee also learned that the e-learning initiative was going to move forward with a proof of concept trial during the spring semester that will utilize the masters degree in post secondary education program. On January 19<sup>th</sup> the Executive Committee met to prepare for the meeting with the Provost and had an extensive discussion regarding the implementation of the ad hoc Committee on Criminal Justice Curriculum and the Role of Summit College. This was in reaction to a memo from Provost Sherman. It was affirmed that both issues would be considered together as the original motion stated. The Executive Committee then began to discuss the number of committee members and the composition of the ad hoc committee. With the Provost the first order of discussion was the implementation of the ad hoc committee, there was considerable discussion of how the committee would be implemented, members selected and the timeframe. The possibility of the use of an expert consultant as part of the process was also discussed. The second area of discussion was on the e-learning initiative at The University of Akron. The steering committee now has Faculty Senate representation on all committees. Senator Tim Lillie is serving on the steering committee. Issues discussed included current demonstrations, courses being implemented and the role of faculty in the development, approval and approaches to compensation. The third area discussed was the approach to faculty of Wayne College and integration of the Akron campus faculty. The implementation of Vision 2020 at all levels of the university was also discussed. The EC agreed to again this year cosponsor the State of Academic Affairs speech by Provost Sherman. In addition will cosponsor faculty forums on general education recommendations. Provost Sherman also reviewed the current issues

discussed at the most recent IUC meeting. On February 1<sup>st</sup> the Faculty Senate Executive Committee met with the President who requested the meeting to share a confidential decision that would be announced today February 2<sup>nd</sup>, 2012. Senators thank you very much for your service to the Senate and to the University and this concludes my report, thank you.

Chair Sterns: It's now my pleasure to call upon President Proenza for remarks from the President.

### **Remarks of the President**

President Proenza: Thank you Mr. Chairman , Mr. Secretary, ladies and gentlemen of the Senate good afternoon. I think it's probably old news but let me share with you a little bit of what has transpired in the last few weeks and the announcement that we made today so let me begin with that. We announced this morning that Jim Tressel would become Vice President of Strategic Engagement, focusing on our development and support of student success and the Akron experience. In December while we were in the midst of searching for a football coach we consulted of course with Mr. Tressel, he was an assistant coach here and many people had called him and asked him for suggestions, to ask whether he might himself be interested etc. We received several suggestions, we received obviously feedback about other names that had come from a variety of sources, our own search committee, advisory committee which was comprised by the way of not only university personnel and member of the community. And in the course of that discussion it became clear that Mr. Tressel was looking for a new direction in his ongoing career plans. And there was something literally about how he talked about that that suggested to me that I should explore that conversation a little bit further so I called him several times after that and arranged for a meeting with him and it appeared that we had as I like to tell it, a remarkable alignment of what we were trying to do here at The University of Akron through Vision 2020 in particular the concept of student success and pathways for student success that many of you are working with the Provost and Associate Provost Ramsier on and asked if he would consider coming to the campus for a visit and to explore an opportunity of joining us in this capacity. He accepted to that invitation, he was on our campus Monday I think it was about a week ago yesterday or today. Thursday. He met with several of our trustees, members of the community and included your chair Dr. Sterns, I won't call him Harvey Graves at least again

today anyway. And the following day met with the various constituencies of the university and following that meeting although he was considering other opportunities he suggested to me that he would be interested in joining us and the nature of how he would see himself because frankly this was something that was something that we would call an opportunity. And we would call it an opportunity. By Sunday we had reached an agreement that he would actually forgo all the other activities and consider joining us and the rest as they say is history. This morning we announced that opportunity. And if any of you had occasion to observe the proceedings or in the case of at least a couple of you that I see in the room to witness it it was truly an exciting day, he began the day this morning by the way, by meeting with an array of our student leaders, somewhere in the order of 35-50 of them if you count but what was impressive to me was that even before I introduced him the group of students broke into applause and cheers and as they asked questions of Jim and there was not only the kind of excitement on the part of our students but the kind of respect, the kind of interest, the kind of depth of opportunity that they saw in his joining The University of Akron. In case you missed some of that, you may want to know that of course Mr. Tressel became a student here following his Baccalaureate at Baldwin Wallace and in the course of his beginning studies in the College of Education at the time with Ken Barker at the time I believe he was selected to become an assistant coach, that was what began his coaching career. He began a Masters degree in Education here believing that he was going to go into teaching, perhaps not knowing that he would be teaching for the rest of his career and now will continue in a much more concentrated matter in that fashion. So in any case we have received enormous public attention, all of it positive. There have been some questions of course obviously all of you are aware that there was a concern about some issues at Ohio State which we reviewed very carefully and certainly want to make all those matters available to you so you can read it can make your own judgments on that. He has acknowledged that he made a mistake and apologized for that and we are a university of opportunity, he believes in opportunity and we're delighted frankly because I have not seen the kind of rapport between a person and students as I saw this morning and as I witnessed earlier in our conversations. I could also tell you that quite coincidentally yesterday morning Ohio State's newspaper, The Lantern, published an article that I hope all of you will read and Mr. Chairman I'll be happy to make that available to you but I'm sure all of you can Google it which basically from the perspective of the students at Ohio State summarized for me what we had seen in our discussions with him what I believe he

will bring the university. We've asked him to help us build the student experience, the Akron experience and the student success protocols and obviously as he said this morning he will initially want to listen to you, want to listen to all of the discussions that we've had the plans that we've had, what's working, the things that we want to improve. At which point obviously he will begin sharing with us things that have worked for him because this is certainly something he is very very good at already and now he looks forward to continuing that opportunity. I thank Mary Beth for offering remarks on behalf of the Associated Student Government and I thank Tim Lillie and your chairman for attending this morning as I did others. I'm certainly happy to answer some questions but let me mention some other things for your information. No doubt your aware at their last meeting The University of Akron Board of Trustees unanimously endorsed the Vision 2020 and that we've received enormously and complimentary praise from the community from the press, from the editorial boards. It was really very very heartening that we're being praised significantly that your university is being noticed for its initiative in serving the larger region that we serve. Following that very exciting endorsement I had occasion on Tuesday of this week to be in Washington, D.C. and met with the Chronicle of Higher Education inside higher education in the Washington Post, not only answering their questions on a variety of topics but briefing them on our progress and our Vision 2020 and I'm pleased to say that I think they will be hopefully commenting on the university more frequently and positively. If you saw this morning's Akron Beacon Journal you would have seen on the front page three things of relevance to the university. The top left story as any journalist, anyone here in communications and journalism? Okay, little bit, well I'm where you are but okay. There's a term called "above the fold" and if you get noticed above the fold that's neat, you've made it. Well this morning The University of Akron planned marketing campaign that begins on Sunday was very prominently featured as a result of the fact that we've asked you we've asked our students to vote which of the three ads that we have prepared will run on Super Bowl Sunday. I can tell you that as of this morning more than 2,000 people had visited the site last night several of the tv stations were running the university's website/innovation and that it's obviously created that attention that you saw this morning so keep voting, I won't tell which seems to be running ahead but I believe from several comments that have come to me through e-mails that I know now why that particular one is running a little ahead but all of them are being praised significantly. Yesterday and by the way today's press conference was specifically planned for



later than when we arrived at an agreement that Mr. Tressel is coming because he and we wanted to be respectful of what was happening yesterday, mainly our new coach Terry Bowden announcing the signing of the group of very apt students who have joined us, that happened yesterday. I'm very proud to tell you that Northeast Ohio Council for Higher Education featured a full page ad right in the middle of their newsletter on our student success plans. The Provost was featured and in short the analysis that we've been making characteristics of students and the creation of the pathways for their success is being lauded by them as a model and we've had inquiries from the Chancellors office from various other bodies and Dr. Sherman and Ramsier and I will be very pleased to continue those briefings as we advance the opportunities that unfortunately are missed now by the shortsighted use of that single statistic of six-year graduation rates based on first time full time students which as I've said to you in case you weren't here at meetings that applies to only 16% of our students even then many of them change from full time to part time and how can that possibly be a fair representation of what I know you know you engender in the success of our students. A couple of final things. About a week ago maybe ten days we hosted a research team from the Massachusetts Institute of Technology, they sought to come here because of what we're doing in partnerships with industry and others, they were particularly interested in our partnership with Timken Company and they met with several of us, with of course our engineering colleagues who are in the lead in that plan and because they're interested in American production of goods and all the elements that intend around manufacturing, I also arranged for them to meet with our other partners the Austin BioInnovation Institute, you may know that the Austin BioInnovation Institute now has launched a national initiative called Value Driven Engineering that is gaining significant attention at the Whitehouse and various other agencies. Finally, Lee Gill and his colleagues in the office of Multicultural Development are coming up on the Rethinking Race initiative and I hope you will have an opportunity to attend. Mr. Chairman, that concludes my remarks I'm sure I could tell you many other things but that's enough for one day. I welcome your questions.

Chair Sterns: Are there questions for the President. Senator Speers.

Senator Speers: I always have a question. We're very excited also about your hiring the coach but I was wondering, several people have commented on whether his past as a football coach

will maybe be translated into bettering our football team. Is there any connection I've heard you say education and his but is he at least going to be talking to the coaches or..

President Proenza: His responsibilities are outside of athletics, obviously as I think some of you know, Coach Bowden comes from a legendary family of coaches beginning with Bobby Bowden and two of his brothers and himself and Coach Tressel-former Coach Tressel, it's interesting he was asked this morning if he intended to coach and he said that's what I've been doing all my life but I don't see coaching as just the matter of playing the game or helping students play the game it's about being a coach for life, for academic excellence and so on and we saw that continuing. But Jim Tressel is also from a very successful coaching family, his father was head coach at Baldwin Wallace very successfully and he became one and his brother was also a coach. I expect they'll have many fine conversations etc but I expect 99.9% of Jim's effort to be in support of student success and not interfere with the obvious excellence and opportunity that Terry Bowden has on his very own merits. Happy New Year thank you very much colleagues and this is Akron. Thank you.

Chair Sterns: Thank you. I now call upon Provost Sherman for his remarks.

**Remarks of the Provost -** Provost Sherman: Thank you Chair Sterns, good afternoon colleagues. It's always a great day and today's been an interesting day nonetheless and thank you Mary Beth for such wonderful comments this afternoon, probably on national television so you may be on television someday. I think the last time I mentioned that I would update the group on comments I made to the Trustees at their most recent meeting and add other perspectives. The President commented on their endorsement of Vision 2020, it was overwhelmingly endorsed by the Board, your contributions to the evolution of that vision are certainly seen I guess I would say in what has evolved as a very transformative perspective on distinguishing The University of Akron. I'd like to note that in public session the Board asked for their resolution to be amended such that they are requiring the administration to bring to them in every budget fixed 2 million dollars at minimum in strategic investment funds. The strategy that we've been pursuing with regard to an allocation of budget based on strategic investment to grow the faculties capabilities and research support by staff in those four areas of emphasis you

know is really signed as authorized by the Board so you know that would not have happened without the support of everyone in this room to bring this to fruition. I'd like to point out from a student academic success perspective that through our involvement in the talent dividend prize which is an initiative via the CEOs of cities, we indentified nine students for spring who without a \$550 scholarship which the money which came through our involvement in this initiative was provided to students who would not have likely continued their enrollment in the spring. So nine students benefited significantly by 550 dollars to continue their enrollment into spring semester. Our outreach efforts that have been led by Karla Mugler where you have been working with individuals who have high credit hours has resulted in 246 students graduating in fall term and that is a testament to your work with students to understand their circumstances for you to understand those academic programs and in the coursework to endorse their transcript as appropriate to receive their degrees. Related to spring 2012 and consistent with our pathways to student success strategies, there were about 50 students requesting transfer admission to The University of Akron while on academic probation at another institution. That in previous years would have been admitted to The University of Akron. Those 50 individuals were denied transfer admission to The University of Akron and were provided guidance about how to improve their academic success at their current institution or elsewhere that with improved performance would be considered through another future admission cycle. Interestingly enough we transferred in 70 more better prepared students than spring 2011 which basically meant that even though we denied those 50 students, we were 20 transfer students ahead of last year who were better academically prepared. So you're endorsement and our pursuit of improving the potential for student academic success you know really is going to evolve from a practice such as that which I just described. Our fall to spring persistence in our Graduate programs, Summit College and the College of Business Administration lagged slightly behind the other colleges but the increased outreach efforts in all colleges should have our enrollment for the spring at or slightly ahead of projections and really I think it's even with enrollment last spring. You may recall and you were probably involved in a significant outreach to students in autumn to support their continued enrollment at The University of Akron in the spring and the fact that we had that level of success is a compliment to the efforts of you and it's certainly staff and others who were engaged in that activity and certainly we'll evaluate the success of those strategies and work on methods of how to do even better in the future. At this point in time Fall 2012 admissions, this

was about two weeks ago, are 6% ahead of where we were at last year but importantly related to student academic success I'm pleased to report that we've admitted 22% more students with an ACT of 25 or higher. So more and better academically prepared students are finding their way to The University of Akron, we are admitting them to The University of Akron now it's our full responsibility to assure that they matriculate, we yield them to The University of Akron and support their success. I think finally with regard to my comments to the Board, I reported that we appointed Neil Sapienza as the interim dean of Wayne College you may know that he started his career here in the Career and Technical College, was responsible for Workforce Development for a period of time, obviously a faculty member successful in the ranks of faculty, administrative experience as a school director and an associate dean and the faculty and the community leaders that we engaged with to introduce Neil to that community were just thrilled of Neil's background and experience that will allow him to step into that position and really start at a run. I was asked as does the interim title mean he has to tread water, absolutely not. We have defined explicit expectations of Neil in that capacity and I indicated to the faculty that a high degree of demonstration of successful collaboration both with the faculty and students and with you all, we'll determine the methodology we'll use to appoint a permanent dean at Wayne College. On another couple of notes I would like to report on some questions that were asked at previous Senate meetings. We have reinstated the summer research funding that was queried at the last Senate meeting. And Connie we had interactions with regard to your continuing to pursue the process whereby applications are submitted for review by the faculty. In consultation with Jim Sage the computer refresh will include a refresh of the older computers that will be upgraded as appropriate for the use and the support of part-time faculty. And finally, there was a great question asked at the last meeting about faculty numbers and I think there was subsequent conversation about numbers of faculty overtime at The University of Akron and that was a great question cause it got me thinking what should I report, how should I look at information to report to this group with regard to our objective to support the colleges accomplishing the academic agenda and the academic support units enabling that success. And I got to thinking you know faculty number per se doesn't really reflect a lot, the capacity but from my perspective I don't have control over faculty deciding to leave or retire so if every effort to increase faculty is gonna be otherwise decreased by that kind of turnover so really you kind of have to predict out to get ahead of the curve to show increased number of faculty. So in consultation with Rex and Chand

and others we thought well how can we illustrate the investment we've made in faculty? Both in compensation and in the allocation of positions to the academic side of the house. So in terms of how we use our resources are we putting more resources in the academic side of the house compared to the academic support side of the house? So that's how we decided to do a data analysis, a datadigm, and I'd just like to point out that for fiscal year '11 we invested about 10.7 million dollars in faculty and staff positions as well as compensation. The distribution of that 10.7 million dollars was 52% invested in faculty and 48% invested in non-faculty. So slightly more than 50%. For fiscal year '12 to date having invested about 13.2 million dollars in faculty and staff positions and compensation, the distribution has been 56% to faculty that part of the academic side of the house and 44% to non-faculty investments. So last year 52 in academic and this year 56 percent in academic. I wanted to point this out because basically what this indicates is that our commitment to in a sense that principle, colleges accomplish the academic agenda, can be born out in the decisions that are made in distribution of resources. We can make gains with regard to those principles if we stay focused and diligent to those principles and if you can only imagine we continue to make progress like that every year we have a shift in the overall budget at The University of Akron as we've previously discussed that shifts from 50/50 to 60/40 to somewhere maybe 65/35, maybe 70/30. Mr. Chair that ends my report and I'll take any questions if there's time.

Chair Sterns: Are there questions for the Provost? Senator Bouchard.

Senator Bouchard: Yes since you mentioned me I'd like to follow up on this. Do we know how much more money the summer research committee is getting or do we still have the very low amount that we were told just before Christmas that we would get?

Provost Sherman: How much did you have before?

Senator Bouchard: 98,000.

Provost Sherman: I think it's 100,000.

Senator Bouchard: The reason that I raised this before is we had almost 150,000 last year and for a research university to be cutting it's money for faculty research by a third doesn't strike me as a strategic investment in faculty research.

Provost Sherman: Well that is the money, that's only the money that's allocated through this process. The two million dollars that I mentioned before is money that will be distributed to faculty out in investments in those four areas of investment. So I understand what you're saying, certainly we'll have to look at in future budgets can we increase that.

Senator Bouchard: It's just that I think that especially today in that we've got someone being hired for strategic investments for several hundred thousand and the university can't come up with a few tens of thousands for faculty research and seed money to do research seems problematic.

Chair Sterns: Senator Speers.

Senator Speers: You made a speech last year I believe on how we were going to have an opportunity to hire 200 new faculty positions, I believe you said new. And that goes to your statement you can't control when people retire and all. Are you keeping track, have you projected where those positions may go? The reason I ask is we continue to lose, we have eight faculty in my division when I came here, we're down to three and a lot of part-time adjunct, but I know of others that are going to be retiring and there's no assurances that their positions will be filled. I also know how important STEM is and so let's start working on a STEM-A, STEM-B, STEM-C and then of course we'll go to arts. The STEM arts area is really suffering you know our college of professional and performing arts was a huge thing for us to lose and we're going to lost that while it's only a title it is in fact a title that speaks to every other artist out there that might apply so I really appreciate all those statistics for 20 students and 50 students etc, I'm encouraged by that because it's so few and if we're going to fight for so few of those we really want to at least have a program in place and be able to do our fair share of adding to those students so again I would love for you to put a chart up; 200 new faculty and then start deciding now, directing now where they probably need to go because of extremely small, withering

programs. I don't know if you will do that but it would be great so, I feel like the 200 positions will be catch as catch can as opposed to projecting a real plan of where we're the weakest and where we need to shore up.

Chair Sterns: I think it's both, I think what Senator Speers is really asking about is what kind of strategic personnel planning are we doing to maintain departmental strengths where there have been changing numbers, we have the ambiguity that the State Teacher's Retirement has not come up with a definitive legislation so that no one can plan their personal lives and I think that as we talk about another set of things, how are we going to approach this transition period?

Provost Sherman: Those are all good questions and certainly we need to plan at a strategic level I guess I'm on the one hand the positions that have been allocated over the last several years have been on the basis of recommendation by deans so at the level of deans they are making decisions about where to invest in their colleges. Rex we announced in November allocations of remind me, how many new positions?

Rex Ramsier: New positions were 29.

Provost Sherman: 29 new positions across the colleges with how many in the last year?

Rex Ramsier: I think we had 44 open searches at that time.

Provost Sherman: Yeah, 44 open searches at that time. So somewhere around 79 or 80 positions that have been last year, this year distributed to the colleges. Consistent with the deans state of priorities. So I think that's a significant commitment on the allocations side of positions which is reflected in the numbers I just gave you. With regard to the 200, I indicated and revisit every college exactly what that will look like over the next ten years which is about 140 faculty and 20 staff, not 200 because we decided that we needed to plan for a range of faculty hires from assistant to associate to fulls. And we needed to use those resources to support the faculty with some number of staff because we hire more faculty we hire more support. In the RFPs that different groups that have responded to that will issue next week, where faculty can work

together to submit proposals for consideration for allocation of portions of that 2 million dollars in the next fiscal year, we're anticipating that more of the investment in the first round will be in the innovative technologies and health and medicine areas. And fewer in the human condition and regional solutions areas in this round but what's submitted will likely influence how that looks in future years because in a sense we're asking for those proposals to come in within a sense a ten-year viewfinder with a gap analysis so that we can plan how we might chose to invest in the next ten years those positions so as to fill in gaps in expertise that the university needs or enhance the expertise that currently exists with additional faculty members.

Senator Speers: May I just ask, just tack on about the interns you also said that you want to get ride of as many interim positions as possible and fill them with full-time. Right now of course we have an interim associate dean and he is also our director and so those are two relatively large jobs and so just I guess I'm just asking you to be aware.

Provost Sherman: I am and the deans are aware of our objective to have interims turned into full appointments as soon as possible and that is what our intention is I think we are down in the number of interims that exist across the institution but there are changes that happen and if they're interims or permanent appointments then there's a process to follow to name permanent appointments so we're pursuing the process of putting permanent positions as quickly as we can.

Senator Speers: Thank you.

Chair Sterns: Senator Elliott.

Senator Elliott: I'll try to keep this quick but following up again on the faculty number increases and projections like that, Senator Sterns mentioned or alluded to this issue and this is what I will call the 20/15 effect. So the Senate and the change in the STRS rules, the people who have undermined the resolution of what is going to happen in 2015 and they've sort of kicked it down the road, there the same people who brought us Senate Bill 5. So we could project they're not going to make things better in 2015, so this 2015 effect is something that has to be dealt with now it makes assumptions so that you can guess that the rate is going to increase in retirees and



then essentially someone needs to essentially push the deans and say you know what, you better go ahead and fill those positions and I can't do it so just making sure that everybody is aware of this 20/15 is that clear for everyone.

Provost Sherman: Well I think everyone is aware of it, what I would suggest is this. If you as a faculty member believe that there's a significant that 20/15 represents a significant event for you that in consultation with your faculty colleagues as a program you know begin talking about those possibilities so as to most optimally inform leadership how one might anticipate the need to be responsive so that in a sense we can begin to plan for those activities of certainly Chair Sterns we've discussed that a number of times and he's interacting with Vice-President Hoover with regard to evolving a strategy that I think can be in response to this particular circumstance that he raised. It's in the viewfinder I guess is the short answer.

Chair Sterns: Actually we've been working on a survey to come out from the Institute for Lifespan Development and Gerontology that will actually ask questions about faculty preferences regarding their personal plans and approaches in terms of continuance of career or maybe options; step down and other things. So actually we're, that survey will be out next week. I guess while you're here I'd like to join Senator Bouchard in lobbying you about the faculty research committee 'cause I know for many of us early in our career here that funding helped us to form a base for future research which led to the many other grants at the national level. So I think it's so important, especially new faculty to have that seed money. And I know you know that but we're not above trying to lobby you in any way.

Provost Sherman: I totally understand that I guess I don't need to go on about how much we already invest. I certainly understand that the request is. I guess one of things that we do need to do in terms of structural fix is that the way that those dollars exist in the budget you know they're subject to consideration for reallocation and I think a step we'll take is to put them in a protected cell in a spreadsheet so to speak, that protects them from the potential to be reduced, then the next step obviously would be to analyze, do analysis of what might be a reasonable amount so certainly a suggestion about what might be a reasonable amount would be timely 'cause we're starting the fiscal year 13 budget.

Chair Sterns: Senator Lazar.

Senator Lazar: Thanks for your time. I'm going to back to your new hire this morning, congratulations. The feedback that I received from my colleagues in the library has been a little less positive than what President Proenza must be getting and one of the big concerns is qualifications for an academic position or VP that is going to have a large say in student pathways to success since this will not be a football position other than having icon status in Ohio and a great rapport with students, what other qualifications will Mr. Tressel help us lead? What did you see that would really inspire the administration to create a new position to dedicate this money to a person who unfortunately left a legacy with dishonesty in their administration. I completely believe in renewing yourself, I wish him all the best too in that happening, but with that record what made The University of Akron feel they could succeed in having this person added to pathways to success. Thank you.

Provost Sherman: First off, it's not an academic appointment. It's an administrative appointment. Should the faculty desire Mr. Tressel to teach that would be entirely in the purview of the faculty through the appropriate process to determine who's qualified to teach at The University of Akron so it's not an academic appointment, it's an administrative appointment. That's clear. The perspective that Mr. Tressel will have a say in things is a function of the validity of the argument for doing something and the Akron Experience is not designed by one person. It's being designed by multitudes of individuals working together. Mr. Tressel, given the fact that in his entire career he's worked with preparatory students, emerging students and college ready students in a very successful way indicates to us that he has a lot of wisdom and experience that would and should be appropriately considered by us as we design the Akron Experience. With regard to icon status? You know it is what it is. And what it is is representative of an opportunity for conversations to take place and doors to be opened and avenues to be potentially pursued that otherwise would not be available to us at The University of Akron.

Chair Sterns: When the President met with the Executive Committee yesterday he mentioned a number of things and I just happened to jot them down. So there are a few in addition to what Provost Sherman said. One of the first things he mentioned was friend raising and fund raising. Which was that Mr. Tressel's unbelievable contacts with most of the high school systems throughout the state and so that a decisive advantage. The one thing that we have not mentioned is that they developed a very strong mentorship program actually using seniors to actually serve as mentors of athletes and so an intergenerational approach, he has a great deal of interest in how to use intergenerational cultures of working with students obviously because of my interest in those things I found that positive. Also the fact that he is an alum and I would think that if we understand the fact that he did his Masters here in Education that that does make him somewhat informed in some areas obviously so I must say that I had some of the concerns that you raised personally but I've been convinced in our deliberations that it's worth it. Any other comments or questions? Oh I seem to have blinders to this side of the room. Senator Mancke.

Senator Mancke: Well last night at Thorpe's lecture he made a what I thought was a very interesting comment he was talking about problems with race, he said "race is not rocket science, it's harder". And so when we cut the budget of summer research grant which is one of the only places where faculty who deal with the hard social issues can get money, when that gets cut it means that the university pays lip service to questions of race when it has Race Week, but when it really comes to supporting the research agendas and the teaching agendas that in fact are necessary for people going into the STEM fields to understand what kind of workplaces they're going to be facing it gives me great pause when the explanation for the reduction in summer research money is that there's more money being put into the STEM research. Cause that's not addressing what really is the hard work of sorting out the social issues in this country and around the world and there has been a serious bleeding of the humanities, there's been a serious bleeding of some of the soft social sciences, there's been a serious bleeding of the creative and performing arts and so I'm just a little concerned that we bring in people such as Charles Ogletree and yet his point that race is harder than rocket science is not heard by the administration. And that gives me pause.

Provost Sherman: It gives me pause too and basically it's a great observation and I think we can learn from it and adjust our practices from it.

Senator Mancke: I hope we do.

Provost Sherman: And we didn't reduce it, it's actually up a couple of thousand bucks.

Senator Mancke: But it's down from last year.

Senator Bouchard: It was almost 150 last and it was 200 the year before.

Provost Sherman: But it's at where it was.

Senator Bouchard: No.

Provost Sherman: I thought it was at 100,000?

Senator Bouchard: No it was at 150 last year.

Provost Sherman: So going into this year it was down.

Senator Bouchard: Yeah.

Provost Sherman: Now I see.

Senator Bouchard: And it in the pervue of Dr. Newcombe and he basically decides what amount of money to designate for it which is why I asked the President and you about it.

Provost Sherman: Well that's part of (end of tape)

That's why it needs to go into a cell to protect it and it stands on it's own. That's number one in terms of the issue. Number two is I think if you can provide some perspective about how much

it should be from a reasonable perspective with regard to the dollars, the likely needs over time, we're going into the fiscal budget '13 process and have to take that into consideration.

Senator Bouchard: That's why I'm raising it with you. What would be reasonable would be about 250 because we give 10,000 so that it would be an amount to encourage someone to do summer research as opposed to teaching summer school because you can actually make more money teaching summer school than you can doing summer research but we don't want to have it in such a pathetic distinction that people chose summer school every single time and ignore research. We've got over 600 faculty, it seems like 25 of them ought to be able to do summer research. Last year we got 65 applications for 15 slots so you know less than a quarter were funded and half were really excellent applications. This year we'll probably get 65 again and we're going to run around 10. 600 faculty shouldn't only have 10 able to have access to summer seed money. The hard sciences do it too. They get started with summer research money and then apply for grants things like the geckos started on a summer research grant. So it's not too late for this summer to find a few 10's of thousands it would really perk things up a lot.

Provost Sherman: I hear you.

Senator Bouchard: Okay, thank you.

Provost Sherman: We'll see if we can do any more perking up. I promise.

Chair Sterns: See this is an example of the importance of scintillating professional interaction within the Senate, so we really can communicate on this.

Provost Sherman: And I guess I would say instead of saying we need \$250,000, we need to take into consideration I don't know investments by colleges in summer research I don't know what that is or if that exists.

Senator Bouchard: No.

Provost Sherman: Okay. And then I would prefer to see a number be derived from something related to the number of faculty we have at a particular rank, stage of career that can link to a professional development strategy, not just a percentage of this because of that.

Senator Bouchard: Okay you asked if we need to establish a number, so I established a number.

Provost Sherman: Well I'm asking for a little more rationale than just this many times this many equals this much. Let's put it in a context of professional development.

Chair Sterns: Senator Lillie.

Senator Lillie: Thank you, I want to mention one other thing in this that I think is important in this conversation and that is that the Faculty Senate Research Committee is made up of faculty obviously who are considering elements of research that may or may not be seen necessarily important by a particular dean or vice president for research or someone else in that kind of a position. It's important I believe in terms of being able to encourage innovative research, being able to encourage other people who may otherwise have not been funded, they really don't have the kind of funding that others do to be able to do that and it's also important to have the faculty be able to encourage and influence that. So the question of the amount of money and whether or not it's enough to encourage somebody to spend the summer doing seed research is one that seems to me is really well done by the faculty and maybe better done by the faculty at that level than by the administration or other kinds of formal outside agencies. Now once the person begins to perhaps establish their line of research then perhaps the rules change, but this is the opportunity for people to have a chance to try something that may not necessarily be on your agenda or my agenda or somebody else's agenda so with the faculty doing it it means that there's the opportunity to also maintain and be part of what's going on in this particular initiative so from that perspective I think it's important to consider the amount of money that the Faculty Senate Research Committee is going to be able to allocate I don't know if it's right for it to be 250,000 or 179, I don't know what's right but I'm just saying that that seems to be an important part of this and I hope that you won't lose.

Provost Sherman: I don't take any issue with the methodology of the issue I think that's wonderful and I actually think that it reminds me if we'd done an analysis of the success of the program and you communicated that we have done that in terms of your justification or rationale let's make sure that that success is reflected in supporting the basis for how much this fund should be.

Senator Bouchard: Oh yeah, the report has been forwarded.

Provost Sherman: You gave a dollar amount of funding produced x amount of external funding or some impact or influence?

Senator Bouchard: I don't have the exact figure.

Provost Sherman: Well let's make sure we get that in your rationale for what it is.

Chair Sterns: I would just like to remind you as a matter of protocol, that when you're making remarks you should address them to the Chair. That's okay. Senator Mancke.

Senator Mancke: When I came to The University of Akron in 1994 it was customary to tell new assistant professors that they had access to summer research money. So if you have 47 jobs on the line you're gonna need enough money to give them each a \$10,000 summer research grant and 100,000 dollars isn't going to do it. And there's not going to be any leftover. I do think that if in fact the university is continuing some department chairs and deans perhaps naively continuing to tell people that they can get a summer research grant before they're tenured we're going to need more than a 100,000 dollars a year. So we may want to think about what the new faculty pool is, why it is particularly important to make sure that assistant professors have access to that money in all fields so if we take the new number of assistant professors coming in in any one year we can at least start that as a base and then say how much more money do we need to put in to make some money available to associate and full professors? That's a lot more than even I think Senator Bouchard suggested 250,000 I think we may be looking with new faculty coming in something on the order of \$350,000 to \$500,000 as we continue new hiring. So would

suggest perhaps the start up money for new faculty some of it be turned over to the summer research grant and in a sense move some of it out of the pervue of dean of the graduate school and allocate year by year based on new hires. That's one way to think about the needs for summer research money.

Chair Sterns: The Provost would like to respond first.

Provost Sherman: Let me see if I can put some thoughts together. From an integrated planning perspective incorporate that rationale into the dollar amount you propose. So that we know what the dollar amount should be. So once we produce a rationale for what the dollar amount should be we can get that into the planning for our budgets. For the strategic investment the 200 dollar investment pool, the way we're managing that is because the way that we're managing that is it's allocated before people are hired into it which means it throws off 2 million dollars in cash before people actually are here to be paid. That 2 million dollars then is what is turned into facilitation funds or start up funds or what have you, a component of which is to be considered a summer research opportunity for people hired under that program. I guess my point is this: if we know what the dollar amount is and there's a strong rationale for it the way we should put those dollars in a cell is as permanent continuing funds so that they are there in a sense in a protected way for perpetuity that can't be taken away, they can be added to and that approach would be an integrated planning approach so I think that kind of argument would be very powerful.

Senator Mancke: That would be great because I know that there's significant start up money in some disciplines but in a discipline like history it's like "oh, how about \$1200 dollars for a computer be?" So we really do need to think about start up money including some pool especially for the disciplines where people don't really get much start up money but it includes some summer research money.

(side conversation, could not hear)

Provost Sherman: ...cause at OSU these sort of patterns of administration these sorts of principles or policies are really in a pattern of administration so consideration of start up and what have you is operationalized through a pattern of administration so I think what I'm hearing



is I should work with deans as well to help devise what the pattern is what depths of administration there will be with regard to faculty success and professional development so that's very good I think I can pursue that as well.

Chair Sterns: Okay that will be the last question Senator Speers.

Senator Speers: I just want to acknowledge you sir that when you're in a room with faculty you are the conduit for administration, when you're in the room with administrators you're the conduit for the faculty. As such I greatly appreciate that we have you but we're represented by only one vice president so that when you get to this room where the budgets are being divided up I greatly appreciate you saying we have 52 now we have 56 and you're fighting tooth and nail where as much as you can to get the money on the academic side while it's so frustrating to all of us when we see Tressel is hired at \$250,000 we see two vice presidents of marketing at \$175,000 each while you say that's the administration side I've been in the room as faculty or director rather and my dean will say well that's my budget but we see the budget of this institution, all the money that comes in and then we see it going more at a much higher clip if you will for administrations and administrators and that's why we get very concerned and we tap you on the shoulder and say do you realize how bad it was down here so I guess what I'm just saying is that you do fight hard but fight even harder to get the whole purpose of the university is the academic side and this is to serve us we are not there to serve them, we are here to serve the students and the program.

Provost Sherman: In terms of the value proposition for individuals and marketing and communications and in strategic engagement we will derive many many more times their compensation and value than I think we realize so that's one response to the response or comment. The other one is when you at a faster clip that's not true on the basis of the data I hear. We are investing at a faster clip on the academic side of the house. We'll continue to do that so I mean that's why I wanted to share this information with you because in spite of what it might look like what the perception is isn't the reality. In terms of the dollars invested per unit time in faculty and non-faculty. I thought that would, I mean I don't know what it would look

like. I had hoped that what we had been doing was doing that so I was happy that at least to see we are doing that and made a little bit of gain.

Senator Speers: And I acknowledge your success I'm just saying fight even harder.

Provost Sherman: I don't think we need to think about dukeing it out with the vice presidents I find the vice presidents to be fully understanding of the perspective that the college is about the academic agenda. Because it's the students that the colleges and faculty serve that generates the resources that are created that otherwise not generated wouldn't produce an academic support unit and I think the vice presidents understand that. And I think the vice presidents are oriented in their support to students and faculty in ways that are different than in the past at least as I can see it and understand that that's what our expectations are.

Chair Sterns: Thank you. I think this has been a very helpful exchange, we do have some business that must be accomplished in our session today. Senator ??? one more.

Senator ???: I just wanted to go off of some of the statements that were just said and just in regard to the shifting I guess and the administrations sometimes not knowing what's happening at the department level. Now one thing that you did mention was the faculty maybe being increased and staff being decreased, I'm sorry if you can't hear me but I just was wondering with the staff being reduced who would absorb some of the duties of the staff I mean would faculty take on more responsibilities, would more student assistants be hired to take on some of those tasks with maybe more student assistants being hired that might compromise some of the securities with grades and student records so I was just wondering with administration taking off in some other directions and not keeping up with some of the needs of the departments and the staff level and how the department will function without the staff support.

Provost Sherman: I think if I'm right, Rex help me if I'm wrong, tell me I'm wrong if I'm wrong, I don't think the numbers suggest that because we're investing in one there's fewer of the other. But I haven't seen those numbers but Rex?

Associate Provost Ramsier: Well that's true if you think about what was reported, we spend 10.7 million dollars in fiscal '11, 5248. We spent 13.2 million in fiscal '12, 5644. So we actually put more money, more new money into the non-faculty as well. But the percentage distribution was more towards the faculty.

Provost Sherman: So actually there is more investment on both sides of the house so to speak, it's just that that proportion of the investment is more towards faculty so good point thanks for pointing that out.

Associate Provost Ramsier: I might add if you want to see real example of these initiatives, go to The University of Akron Human Resources EOB, Employment Opportunities Board. Look at the list of current searches, today, this evening while you have your dinner.

Provost Sherman: Actually when I looked at that the other day I was just like overwhelmed and that's when I kind of got this idea of how can we understand what it means and Rex and others did this analysis and I was happy that we were able to do what we had agreed needed to be done.

Chair Sterns: Sounds like a recommendation for indigestion to me.

Provost Sherman: Well let's try to avoid that at all costs.

Chair Sterns: But thank you very much. Some very good dialogue.

Provost Sherman: I appreciate it.

### **Committee Reports**

Chair Sterns: We'll turn now to a report from Graduate Council, you do have a written report of curriculum approval at the same time Marlene Huff and Chyi are both our liaisons from the Graduate Council would you like to say anything Marlene.

Senator Huff: I think one of the things that's not in this report is just some of the conversation that went on at Graduate Council and that is that the remark was made that for next year we can probably look at about 90% of the same budget for graduate assistants, there was a lot of discussion about the curriculum proposal system and I think since then some of the bugs have been worked out and then there was also discussion about how outside people who are not employed by The University of Akron could actually serve on dissertation committees so those are some of the things that are being tossed around.

Chair Sterns: We also have the president of the Graduate Student government, any comments? No. Okay, let's turn now to...

Senator Lillie: Just a question, this is as I understand it a report of the representatives of the Senate essentially it's their impression of what the graduate council did, it is not a report from the Graduate Council to the Senate is that correct?

Chair Sterns: that is correct.

Senator Lillie: Thank you.

Chair Sterns: We're working on that other aspects as we speak.

Senator Lillie: Wanted to make sure that we don't forget it.

Chair Sterns: What Senator Lillie is referring to is that the Graduate Council has an official relationship to the Senate body and all academic decisions made by Graduate Council must come to the Senate. He's just reminding us of that. Let me move on to the Academic Policies Committee, we again have a written report here from Interim Dean Roberta DePompeii and call it to your attention. Any other comments. Okay then we'll move to the Ad Hoc Student Judicial Policy Committee report, revisions to the Student Code of Student Conduct. Senator Rich.

Senator Rich: As you may recall the ad hoc committee reported out in October to the Faculty Senate a set of changes to the Code of Student Conduct after roughly a period of a year of it being in effect. There were some questions and concerns raised by members of this body and so the committee went back and made some further revisions to the Code, made some further proposed changes to the Student code of Conduct. They were reported back to the Faculty Senate for the December meeting but as you'll recall we ran out of time and so this is our first opportunity to consider them. Just to remind you that what the substantive changes are that are being proposed. First of all we have a change to the definition of the term "prohibited conduct" that would add, originally it was proposed engaging in unauthorized commercial activity on university premises but in light of the question that was raised in this body back in October the committee proposal as presented in December is to change it so that it "prohibits commercial activity on university premises that is prohibited by university regulations" this would of course require the university to make separate regulations concerning what commercial activity is prohibited on university premises. The changes would include making it clear that an accused student's initial appearance before Student Judicial Affairs officer could be done by video conference, face to face but it doesn't actually have to be in person. That a student who's been found responsible for committing a violation of the code of student conduct would be able to obtain a stay of execution of sanction by giving written notice of intent to appeal provided that such notice is given within one business day of their being notified by the student judicial affairs office the sanction would be held in advance until either the appeal is concluded and the student has been notified of the outcome or the period for filling an appeal has expired without an appeal having been filed. Presidential review of student disciplinary decisions would become discretionary on the part of the President rather than obligatory in certain instances. The President would be expressly allowed to delegate the task of reviewing disciplinary cases. If a sanction is held in advance and Presidential review is requested either by the student or the Vice President for Student Engagement and Success the sanction would remain in advance until the Presidential review is denied or concluded. And under limited circumstances informal resolutions of academic misconduct charges would not have to be reduced to writing as they are currently are required. And then the more recent proposals include specifying that the report of the University Hearing Board must be made in writing and that it must include specific findings of fact and requiring only those hearing board members who concur in the report to sign it, not

those who descent the way it's written currently it appears that everyone must sign it whether they agree with it or not. Also making it clear that the one day period for giving of notice of intent to appeal in order to obtain the stay of execution begins when the student receives the written report of the University Hearing Board and allowing the President to reverse a finding of non-responsibility only with the remand for a new hearing so the President as it's written now theoretically I don't think this would happen but theoretically the President could review a case in which the student was found not to be responsible and find the student to be responsible, we don't want that. If the President wishes to overturn a finding of non-responsibility that just results in a new hearing to determine whether the student is responsible. So those are the changes, that's a summary of the changes that the committee proposed in the document that was distributed before the December meeting.

Chair Sterns: So this is a recommendation coming from the committee, it does not require a second. Discussion?

Senator Ducharme: Yes, if I could just make an observation. This is so so filled with legal and necessarily so I assume, but it seems to me the student in order to know these things ahead of time to follow through in order to be advised about what these are whether to follow through or not will need to hire a lawyer. Is that probably what would be required on a student's part and if so is that what Student Judicial Affairs wants and is that good for taking care of these matters, it seems to me that it becomes real horrible legal process. I mean it needs to be legal certainly, but wow. That goes over my head and I hang around with this sort of stuff quite a bit. Anyway, just any comment on that.

Senator Rich: Well I would just say that I don't think that the changes that the committee recommended really make the document more difficult to understand than it was before I mean I understand the point you're making I think it's more or less equally applicable to the Code of Student Conduct as it exists currently. As to whether students necessarily should have lawyers, I think that depends a lot and I think my impression from having talked to people in judicial affairs don't rely too much on this but my impression is that most students do not have lawyers, that Student Judicial Affairs does explain these things to the students. For example perhaps one

might be thinking about the issue of the notice of intent to appeal or to obtain a stay of a sanction, that's to be explained to the student in the e-mail that goes to them notifying them of the hearing board's decision. So that right in the e-mail it will say "if you don't want the sanctions to go in effect until you're going to pursue an appeal and you don't want the sanctions to go into effect you need to let us know within a day that you're going to appeal". That is how these things are handled. Now, having said that, depending on the nature of the allegations or in the case of the findings if we're talking about an appeal, I think there are circumstances in which a student really ought to have a lawyer, that that would serve their best interests. Not only because of some of the language that's in the Code of Student Conduct in fact not even primarily for that reason but rather to protect their interest in the hearing process and the appeals process because many students are not able to do that and it may have nothing to do with the Code of Student Conduct it's the question is how do you marshal evidence, how do you present a persuasive case? So that that the people who are hearing it are apprised of the relevant evidence and hear the right arguments concerning the meeting of the prohibitions in the Code of Student Conduct so I think you know, in many instances a lawyer is not needed but there are certainly many instances in which a lawyer is needed and were I advising a student I would recommend that they have a lawyer depending on the nature of the matter.

Chair Sterns: Vice President Fey wishes to speak?

Vice President Fey: Thank you Mr. Chairman. I apologize if I cough I've developed some kind of bronchitis thing. It's a great question and Mr. Chairman if I may respond directly to it. The philosophy of Student Affairs is that we want our students to have every possible opportunity to both understand what the code is and to help them go through it so that if they happen to have made a bad choice and have come before that body that they know the process, they have a right to advocate or an advisor in the process throughout so that they can get that kind of advice. Student Judicial Affairs does not utilize an attorney as the opposition if you will. If the university is bringing the charges we don't use an attorney to do that so the student is not obligated or even necessarily have to have an attorney and Senator Rich is completely correct we advise an attorney that if an attorney is someone that they think they need to protect their rights in every way we encourage them to have an attorney present. The process is written as it is and

as legally as it sounds to be so that their rights are protected and at every level we let them know that they have the right to appeal, the appeal might be reviewed by me and then the President if I feel that there was in any way that the student's rights were violated or we didn't consider all the necessary information that they needed so we have checks and balances throughout the system and the only reason that it written in the legalese that it is so that we can be protected both as an institutional standpoint and from the student standpoint, if you will. I don't know if that answers it enough of it.

Senator Ducharme: So to draw a parallel, a federal regulation before you can do a medical procedure at a hospital they need to have informed consent. Two of the four criteria necessary to have information correctly communicated is that all relevant information needs to be given to the individual but the second part of that is that it needs to be understood by the individual so here we have professional lawyer and everything for where this is generated, it's generated by a professional lawyer and it's then given to an undergrad student for example. How can they expect to be assumed that they can understand that? They can't, I would assume that they will not be able to. I don't understand but maybe 50% but whatever of what all those terms, those are legal terms they're not everyday street terms. In terms of any kind of a proposal would the Law School provide law students second or third year law students to supply some legal help so that the true legal resolution could actually come out with any kind of a disproportionate level playing field. Professional lawyers trying to be understood by an undergrad.

Senator Rich: I think it needs to be borne in mind that the people who work in the Student Judicial Affairs office undertake to explain to the students what these procedures are and what they need to do so it's not as if the student is just on his or her own and handed the code and told to go away and study it and then sink or swim. I think the Student Judicial Affairs works pretty hard at making sure the students understand the process, understand what their rights are and can ask any questions that they have about the meaning of the code. The answer to the specific question was raised about law students is that that does not happen now, I have actually suggested exactly that kind of an approach in the past to mixed responses.



Chair Sterns: I might point out that Senator Bove was actively in this work as well so it wasn't just lawyers, and Senator Lillie as well.

Senator Rich: Could I just add one thing? My summary may have made it sound a little more legal than it needed to, "stay of execution" that's not the wording that's in there. We talked about the sanction being held in advance, now I realize it's though not as technical a term, there's some vocabulary to understand so what I was giving you was my summary which may have sounded a little more legalistic.

Chair Sterns: I guess we will reward Senator Speers for her hovering.

Senator Speers: One of the things that we don't take into consideration in this institution is that we have a legal office and consequently when attorneys are needed for advice for any of us we are given some kind of counsel. I should speak up now but in a courtroom if someone is destitute and cannot afford a lawyer we assign them a lawyer and I'm sure 99% of the cases do not get to this level but there's always that one percent that might get to the level and hit the newspapers and everything else and should it not be advised that if lawyers are involved that we allow a student to be assigned a lawyer? Just because if it does get legal then we have.

Chair Sterns: I think we have to speak to the motion.

Senator Speers: Oh I'm sorry.

Chair Sterns: The idea is the right idea but right now we're speaking to the motion.

Senator Speers: I move that we assign a lawyer.

Chair Sterns: Senator Erickson.

Senator Erickson: Is there a motion?

Chair Sterns: It came out of committee.

Senator Erickson: It was only and maybe this is not to the motion because the issue that was brought up with respect that Senator Rich brought up that indeed the student might need legal advice it would seem to me that that's something that Associated Student Government could well be I don't know if there's a position that they've taken on developing the appropriate relationship so that they would have access to ?? students but it seems to me that they would involve that constituency.

Chair Sterns: Senator Lillie.

Senator Lillie: Just a few seconds perhaps of history. Some of you may recall that the impetus for revising the Code of Student Conduct in the first place came from the unfortunate consequences of what's call the Charles Plimpton incident where the student, Charles Plimpton, had been accused of I think it was some kind of drug possession and had been actually acquitted in a court of law, found responsible for the same crime the same thing by a student judicial board here at The University of Akron and I believed expelled or suspended. As a result of that he ended up committing suicide. I think it's important for us to recognize in this discussion many of the points I happen to agree with and you know Senator Ducharme you raise some good issues but it's important for us to realize as well that when we started with this those of us who were on the ad hoc committee, myself, Senator Bove and Senator Rich when we started this we did have some difficulties in communication perhaps with the folks who were in the office of Student Judicial Affairs, we were presenting some of the issues from the perspective we had, they were presenting the issues from the perspective they had and over a course of some time there's developed an understanding and I think some give and take that perhaps needs to continue along the lines of what you're talking about. But I would say at least from where I am viewing it, without saying at any point that everything's fine and fixed and we never need to look at it again I think we've made some substantial progress. The issue that you have raised Senator Ducharme and perhaps others about whether there ought to be some formal kind of representation is I think a good one and I think we ought to go forward with it and perhaps a different ad hoc committee might be charged to also learn something about what goes on in the Student Judicial Affairs

office. Chair Sterns was talking about the fact that we may be getting to the point where we were more involved in some of the decisions, well that's true but there's only a limited number of us who are actively involved in it, other people might also want to learn these things too. So this is an opportunity for perhaps not Senator Ducharme I know you've got other things you're doing for the Senate in terms of the Athletics Committee but perhaps others in order to say alright let's look into this, what are some things we can do and at some point in the future be able to improve the code of student conduct that we've tried to present to be a responsive to your concerns in December and also as much as we can to look at issues such as due process and these kind of things we were concerned about some legal issues we didn't understand, what's the difference between substantial responsibility and preponderance of the evidence you know other things too. There were a number of things raised that I think I would encourage those who have other concerns to also become actively involved in the work as well as express the concerns. Don't stop expressing concerns but I would encourage people to become involved. Thank you.

Chair Sterns: Okay, we're almost ready for a vote.

Senator Rich: Well what I'd like to point out is that what we're really talking about is the Code of Student Conduct as a whole in this last colloquy. There was a major revision in the Code of Student Conduct that occurred over a year ago, we had a lot of these discussions at the time. Right now what's being proposed is a fairly limited set of specific revisions to the Code of Student Conduct and would suggest that whatever debate there may be focus on those things. There is time to revisit some of these issues if that's the will of the body but it's been awhile since these were actually proposed and I do think we need to act on them they are really fixing some relatively small details in the Code of Student Conduct. Whatever ones view about how the system perhaps should be changed fundamentally or other changes that should be introduced that no one at this point has a written proposal for, I think we should focus on the specific changes that have been proposed by the committee, the body should decide whether they should be adopted or not.

Chair Sterns: In the opinion of the Chair I think we're ready for a vote. So any other comments if not let me call for all in favor say aye (aye). Any opposed? (none) Thank you. Let's move to

Rudy Fenwick to give the report of the Ohio Faculty Council, which he serves as representative and serves as Chair representing us extremely well, on occasion I'm able to join him in Columbus where he represents us phenomenally well.

Rudy Fenwick: Thank you and good afternoon. This is going to be a brief report because unlike last year we're not dealing with divisive statewide issues like Issue 5. We have had one major issue come before us, we learned in October that there was going to be a 4.5 million dollar shortfall for the OhioLinks subscription services, it provides journals and so on. So in November we ask and met with John McGill who is executive director of OhioLink and John Connelly who's the chief of educational technology for the Ohio Board of Regents and after that discussion Ohio Faculty Council passed a resolution supporting the efforts of Chancellor Petro and OhioLink and the various advisory boards and their effort to cover the 4.5 million dollars which was covered by the way and so it's covered through this year at least. We also expressed our concerns that we would like to see more long term stability in the funding for all programs of OhioLink because it is an national and internationally exemplary program, it's a resource that we should all be proud this state has and actually use more of. Recognize that it is a world class program. I'll come back to that in just a second. In January we met with Chancellor Petro and had a wide ranging discussion and he expressed his concerns to us especially concerning the low college completion rate that Ohio is in the bottom quarter of all states in the U.S. with 26% completion rate based on the questionable statistics that President Proenza pointed out of first time full time freshmen. Which I assure you is not a very valid measure of why students go to college anymore. Be that as it may, he is concerned and wants to increase college completion rates. He mentioned piloting some programs at Shawnee State and Central State which are the universities with the lowest graduation rates in the state. He also talked about encouraging students by granting students who completed 30 hours at a university a certificate of career readiness and after 60 hours an associate's degree. So in progress to a B.A. Our concerns were expressed to him; primarily had to do with the proposed changes to the SSI formula increasing will weigh on retention and graduation rates and what is the impact of those changes going to be in schools with historically low completion rates. Based on that discussion next week at our February meeting we will meet with David Cannon who is Vice Chancellor for Finance and Data Management for OBR and we'll talk about those issues and what are the financial issues and

impact and changes in SSI on schools as well as can we work on some kind of long term sustainability for OhioLink. I will continue to follow the changes or lack thereof in STRS as Harvey alluded to earlier it's on hold their having another consulting company to look at those changes. I soon as I find out something I'll let you know. So that's what we've been doing down in Columbus.

Chair Sterns: Are there questions for Professor Fenwick? If not we want to fit in one more report. Thank you so much we appreciate you being with us. I'd like to call on Senator Lillie to report on the e-learning steering committee.

Senator Lillie: As you know from a report given to the Senate a couple of months ago by Vice President Sage, there is an effort going on to examine the status of the e-learning status of The University of Akron whether or not or to what extent e-learning ought to be implemented. That is also existing concurrently with as you heard essentially a pilot of the Pearson learning management system. Over the course of that time since both the report from Wendy Lampner and Jim Sage and John Savery, the Senate Executive Committee upon the application of several people appointed representatives of the Senate to be part of each of the working committees that have been created to look into for instance a business case committee, a student success committee, a faculty success committee and one or two others and there's also a steering committee to which I was appointed as a representative of the Senate. At present the work is being carried on by the subcommittees and then reported to from time to time the steering committee for its feedback and sometimes if it seems appropriate for its actual approval. At one of the steering committee meetings a few weeks ago there was, several people raised the question how do we get information to the appropriate Senate committee if we're going to ask for the Senate approval on an academic issue? And I thought that was positive that we were asked and I also made the point clear that one of the things that as a Faculty Senate that we make sure do is that we have reviewed and act on whatever proposal there might be. So I suggested a couple of ways to go about doing that. Of course there's always the opportunity for folks to find out who their faculty senator is and then send it through that person. The second would be to find when the committees are meeting and Chair Sterns also alluded to that and to make sure it's sent to the appropriate committee and a third was that I suggested that if folks had an issue that they thought

ought to come to the Senate that they weren't sure where to send it that they should send it to the Executive Committee and then we would try to find the best place to route it to. Then also at that meeting after making that kind of informal undertaking I was asked if I would serve as the liaison from the working committees, through the steering committees onto the Senate. The question was also raised how does the Senate know what we're doing. So that's what I'm trying to do here today and I hope we can continue to do. And all I'm really speaking for at this point are the things that I am aware of that have come to the steering committee, I did send out a request to the Senate appointees to the various committees to see if they had anything they wanted me to put in this report. I received a couple of comments, student success committee has been basically said that they've broken down the process into several stages including pre-application, acceptance, of course completion and so on. I did not get a chance to talk with them about it but that would indicate to me at least that that particular committee is operating as if this is going to happen. That's not what we heard from the Vice President Sage when he came to report so that's one of the things that needs to be reconciled. And again, I am reporting it not because it's fact but because it's what's been heard and we can get it out into a situation where people can deal with it. The fact that the focus group representative who responded to me and said we were discussion compensation, intellectual property, incentives, training and other issues related to online courses and programs. We have also discussed the pilot through Pearson Learning, I don't think we're close to coming up with final recommendations but some administrators, this is a quote, some administrators clearly want us to get this done yesterday, what is the rush? I got a few comments also from some constituents one of whom who asked not to be directly quoted, expressed and is involved in the e-learning task as the level of a faculty member, I don't want to go further than that. Expressed concern over the degree and type of involvement in student learning that is being suggested as part of why Pearson is seen as some as desirable as a student analytic-ness that I'll comment on in a minute. This correspondent believes that even in online courses and especially in online courses the direct connection between student and professor is critical and cannot be taken over by computerized system even one as sophisticated. Their comment was; "should Pearson replace Springboard?" A simple question to which there is no simple answer except that I responded as far as I knew no final decision had been made that was one thing that had been thrown out there for discussion. Another person said; "I think before a decision is made the committee ought to talk with

individuals who have firsthand knowledge of Pearson Learning management system and without a solid superior management system over desire to learn I don't see that there needs to be a question further than that." Again a direct quote. There were also a number of, 23 questions that the individual sent to me that were apparently addressed in the meeting just yesterday with Pearson. And not necessarily not to that individual's complete satisfaction. I was involved yesterday as part of the steering committee to be involved in a presentation from Pearson had a vice president show up from their Denver office and a number of other people show up and spent the whole day here talking to faculty, administrators and others and between 4 and about 5 had the discussion and presentation about the analytics, the student analytics that Pearson has which as I said before some people believe is a very important part of what they're doing. Chair Sterns was also invited to be part of that meeting. To make a very long story short since we have a couple of minutes I'm just going to say that while I think that there were a lot of very positive, interesting and potentially analytical results implemented to us by Pearson including things like data warehouses and just a variety of things that I really couldn't do justice to at this point, but that I think have some possibilities, there are a couple of serious issues that at least while I was there maybe Chair Sterns was able to resolve it after I left, that I think are going to provide some issues of concern that we will want to think about a little further. One is that as far as I can tell and perhaps others would know this better, as far as I can tell if this were the use of the data analytics were gone into at the level that Pearson wants and remember I'm being careful about that, I'm saying the administration have said yes, I'm saying at the level Pearson wants, I think it would represent some of what I would characterize as intrusion into what goes on in a course and also would be as far as I can tell the first time that The University of Akron would have pretty much openly shared the data that's generated by interaction with students and others with an outside body absent something like the freedom of information request. That's an issue that I would say that we need to work on that find out what's going on, see where if that's true what were some of the issues are, I'm not the only one who raised a question so I was the only one who raised a question at the meeting but I'm not the only who raised the question outside of the meeting. There are a number of questions about how the data would used and who would control it. At the presentation it seemed that the Pearson folks were sort of presenting a way of primarily administrators and upper level folks being able to get in there and use data for a variety of reasons, one person asked specifically if faculty would receive that data and how they would

be involved and the response was something like well the administration will determine that. The university will determine that. Obviously those are some responses that the faculty raised some issues of wait a minute what's going on here that I think that we need to be aware of. However, once again I want to point out the positives here about the degree of concentration, the fact that we have been involved in these kind of issues, the fact that you have a number of people, twelve or thirteen people I think perhaps fourteen people who've been appointed by the Senate, who've been actively involved in looking at these things. I would encourage you as senators to find out what your constituents think, to try to have them look at the Pearson learning manual website, I sent out an e-mail on the Senate list serve with that information. I encourage you to ask people to look at that and see if they have any of their views of that would be consistent with what has been reported to me and my impressions from this meeting yesterday. I see we are past 5 o'clock and I'm sure that there are a lot of other things that could be discussed but that's about as short of a report as I could give under the circumstances. Thank you.

### **Adjournment**

**Chair Sterns: Thank you. The chair in view of the hour would entertain a motion for adjournment. (motion by Speers, 2<sup>nd</sup> by Erickson) All in favor say aye. (aye) I'm sure Dr. Lillie will be happy to answer questions on an individual basis if you want to come down and ask him.**

**The meeting adjourned at 5:03 pm**

*Verbatim transcript prepared by Heather Loughney*