

MINUTES OF THE FACULTY SENATE MEETING OF DECEMBER 5, 2002

The regular meeting of the Faculty Senate was held on Thursday, December 5, 2002, in Room 201 of the Buckingham Center for Continuing Education. Chair Daniel Sheffer called the meeting to order at 3:01 p.m.

Fifty-four of the sixty-three Faculty Senators were in attendance. Senators Drew, and W.Yoder were absent with notice. Senators Braun, Carri, Pinheiro, Pope, Redle, Trotter, and Walter were absent without notice.

SENATE ACTIONS

*** APPROVED APCC PROPOSED BYLAW CHANGE TO RULE 3359-20-03.7(C)(2) REGARDING THE AWARDING OF REAPPOINTMENT IN THE CASE OF EARLY TENURE.**

*** APPROVED APCC MOTION TO CHANGE THE UNDERGRADUATE BULLETIN REQUIREMENT FOR ADDITIONAL BACCALAUREATE AND ASSOCIATE DEGREES.**

*** APPROVED APCC MOTION TO CHANGE SENATE BYLAW 3359-20-05.1(I) DEALING WITH REPEATING COURSES FROM THE UNDERGRADUATE BULLETIN.**

*** APPROVED CFPC RESOLUTION ENDORSING THE TEMPORARY USE OF 325J AND 323C IN THE POLSKY BUILDING AS SPACE TO HOUSE RANDSTADT.**

*** APPROVED CFPC RESOLUTION ENDORSING THE PLANS FOR THE NEW STUDENT AFFAIRS BUILDING.**

*** APPROVED PBC MOTION TO HAVE THE FACULTY SENATE FORWARD THE ISSUE OF THE DISTRIBUTION OF THE TECHNOLOGY FEES TO THE COMPUTING AND COMMUNICATIONS TECHNOLOGIES COMMITTEE TO RE-EVALUATE AND RENEGOTIATE.**

*** APPROVED PBC MOTION TO HAVE ACADEMIC UNITS BEGIN COLLECTING COMPARABLE ROI DATA FROM SIMILAR UNITS AT OTHER INSTITUTIONS OF HIGHER EDUCATION.**

I. APPROVAL OF THE AGENDA - Senator Sterns moved that the agenda be adopted as presented. The motion was seconded and the body voted its approval.

II. APPROVAL OF THE MINUTES OF NOVEMBER 7, 2002 - Senator John moved that the minutes be approved; Senator Yousey seconded this motion. Secretary Kennedy reported that she had not received any corrections to the minutes. None forthcoming from the floor, the Senate then approved the minutes of November 7, 2002.

III. REMARKS OF THE CHAIR - Chair Sheffer began his remarks by stating that he was sure everyone was ready for tests and the subsequent grading frenzy and then perhaps a chance to get into your laboratories or have some recreational time with your families. He hoped all would have a very productive time in between the semesters.

Chair Sheffer then mentioned an email sent yesterday to the Faculty Senate list-serve concerning the evaluation process of department chairs. It was sent out with the purpose of trying to get some information to determine whether there were any institutional history or memory concerning the tone or the idea behind the words and rules as written, particularly with respect to the results of the departmental evaluation of department chairs. He had received several replies already from a number of the Senators. He would give those to the Executive Committee to proceed from that point. He was also going to put that same request out on the faculty list-serve because he thought there were a number of individuals on the faculty who were either in University Council or Faculty Senate when those rules were written, and perhaps they could provide more information about the intent of that part of the evaluation process. As he had no special announcements, Chair Sheffer stated that the meeting could proceed to the reports.

IV. REPORTS

EXECUTIVE COMMITTEE - Secretary Kennedy began by first thanking Mrs. Quillin for the cookies and coffee Senators had found waiting for them. The refreshments were courtesy of her efforts. The Senators responded with a warm round of applause.

Secretary Kennedy then stated that the Executive Committee had met three times during November. At the Nov. 18th meeting, we addressed item 3 of the Graduate Council report. As Senators may recall, Senator Drew had given this report at the last Faculty Senate meeting. This item dealt with revision of the rules governing graduate student tuition, remission, and stipends. This was brought about by the state-imposed 85% funding cap for Ph.D. students and the need of the University to align its courses to allow for the appropriate subvention. After much discussion, the Executive Committee felt that this issue should have come to Faculty Senate as a recommendation from the Graduate Council. Therefore, the Executive Committee would be referring the matter to APCC. The Executive Committee would ask APCC to look at issues including the policy for faculty load, clarification regarding the grandfathering of students, credit hr. questions (for example, certificate programs which required a certain number of additional credit hrs.). The Executive Committee also spent time creating a task force to examine the calendar issues. As was discussed at the last Faculty Senate meeting, the Executive Committee was charged with creating this task force, and we were in the process of doing that. We had determined that representation should come from the offices of the Registrar, Housing, Student Affairs, as well as students and faculty.

The Executive Committee met twice on Nov. 25, once with committee members only and once with President Proenza and Provost Hickey. At that meeting we addressed the following items: First, the

Delaware Study - the Executive Committee requested access to the Delaware Study for our review. A thank you to Provost Hickey and Dick Stratton, who graciously provided that. We also requested that it be available in public areas, such as a hard copy on reserve in the library, with the ultimate goal of posting a copy on the web for those who wished to review it. Assoc. Provost Nancy Stokes provided us with an update on the NCA report as well as the plans for the dissemination of that report once it's completed. The Executive Committee asked the time line in that process to be shared with the University community as a whole. We also talked at some length about the Rt. 8 issues. As Senators might know, our good friends at ODOT were planning some major highway construction which would involve several key Rt. 8 ramps used to gain access into the University. As Senator Sterns was going to be discussing that in his CFPC report, there was no need to go into detail at this moment.

The final item of business which Senators should have received as part of the list-serve was a proposed change to The University of Akron Bylaws. This was coming from the Executive Committee. Secretary Kennedy then read the motion: **(Rule 3359-10-02(B)(6)) "Motions or resolutions which embody major recommendations shall be posted on the Senate list-serve at least seven days prior to a scheduled meeting at which a vote is to occur. All messages must include a statement of the rationale in support of the motion. The Senate may by majority vote override this provision to bring a motion to the floor."**

Secretary Kennedy then explained that the rationale for this was basically to ensure that Senators had time to review materials being presented, to ensure that everyone was informed, and had thought about and talked with constituents about the motions that were coming to the floor.

Chair Sheffer stated that as this was a motion coming from committee, it required no second. It was a bylaw change and would lay on the table from now until the next Senate meeting.

Senator Gerlach then inquired as to whether it was in order to discuss the motion at any point – perhaps under New Business? Chair Sheffer replied that the body would do so at that point in the meeting.

REMARKS OF THE PRESIDENT - Chair Sheffer then asked President Proenza to address the body.

"Thank you, Mr. Chairman, and colleagues, good afternoon. Let me share some information and comments. First of all, I was privileged to represent the University and the United States at a recent meeting of the Organization for Economic Cooperation and Development focusing on private/public partnerships for innovation. Suffice it to say that we raised considerable interest in some of the things we're doing here that will result in a number of students coming here and some possible funding from both our government as well as, interestingly enough, possibly those of other countries. So that was an exciting opportunity and I was privileged to represent you and be invited.

Many of you may be aware that Governor Taft was on our campus this morning for the final of this year's Summit Meetings on the Third Frontier Project. Several from the University community participated on the panel, and I was privileged to be able to both participate on the panel and welcome all on behalf of the University community.

I shared with your Executive Committee copies of a white paper which I've prepared at the request of State Representative Jim Hughes. I mentioned that at the Senate's last meeting and have had some important feedback from your Executive Committee, and would be pleased again to have anyone who would like to look at that white paper to review it and provide input. It's entitled In the Public Interest,

a white paper on the funding and functions of higher education in Ohio, and it calls for the state to examine and reconsider how it goes about funding and distributing the functions of higher education.

Broadly, it makes four recommendations - first, that we in Ohio must develop a comprehensive vision for the role of higher education and one that asserts the strength in the state as well as its aspirations for national and international leadership. Secondly, that we must create a legitimate and rational basis for fully funding each of the component functions of public higher education - teaching, service, continuing education, professional education, research and technology development, etc., each in the amount necessary to both recapture and advance the state's investments in higher education and to promote Ohio as a leader among states. The key points that I tried to make there is that in the absence of a standard or benchmark for funding, it is difficult for the state to maintain its focus on when adequate is or is not available.

The third recommendation relates to pricing. You've heard me talk about differential tuition in the past. The recommendation basically is that we must create a pricing structure in Ohio that is at once open to market demands devoid of artificial percentage caps and their affects when imposed on an already distributive system that is not necessarily rational, that remains under the control of each institution's Board of Trustees and better reflects the quality of our institutions.

In terms of functions, I advocate that we should promote a state system of higher education that includes a group of 2-yr., 4-yr., and graduate degree-granting colleges in universities appropriate in size, number, and location to move our state forward from an educational deficit to an educational surplus, as well as to meet regional research needs, and a group of no less than four major public research universities of national and international stature serving our major population centers north to south and addressing the work force that is needed to meet the Third Frontier's expectations as well as other opportunities for economic development. The white paper draft, in addition to being shared with your Executive Committee and the Faculty Advisory Committee to the President, has been widely circulated among the deans and vice presidents. It's been circulated to the IUC presidents, to the Higher Education Funding Commission and to the Board of Regents, and I hope to finalize a final draft within the next week or two. I think you are aware that we successfully completed the recruitment of a Dean of Engineering. Dr. George Haritos will assume his position in January. at the start of the spring semester. He happens to be on campus today and hopes to be on campus again next week. He's currently Professor of Engineering Mechanics and Commandant of the U.S. Air Force Institute of Technology at Wright Patterson Air Force Base, and has previously enjoyed appointments with the U.S. Air Force Office of Scientific Research in Washington.

Since I understand that Senator Sterns is going to discuss the Rt. 8 matter, I will simply limit my comments to say that we are privileged to be enjoying good communication. It is as any major construction, going to cause some displacement and some rethinking in how we approach the campus if you do so typically utilizing any aspect of Rt. 8 north or south. We are also privileged in having good cooperation with the contractor that has been successful in winning the job, and we've already established some opportunities for them to phase aspects of their own work in ways that had not previously been anticipated. So Senator Sterns might share this with you. Anyway, the important thing is that you all, everyone, help us to communicate that this is coming and you will hear more details from Harvey and if you have some questions, I will assist in what little knowledge I have.

Let me just share two final bits of information. This reflects to the excellence of our faculty that I like to share with our Board of Trustees and again, invite all of you to share with me periodically - aspects of

faculty excellence that you feel worthy of sharing. But these are two that I shared with the Board at their meeting yesterday. First, Dr. Paul Toth, Asst. Prof. of Modern Languages, is the 2002 recipient of the Paul Pimsleur Award for Outstanding Research in Foreign Language Education. He received that award last month at the meeting of that association in Salt Lake City.

Secondly, in a forthcoming article in the Journal of Financial Management, 1,000 finance professors are ranked based on their publication history in the sixteen top finance journals. Dr. Ikebe Ikigbe, the Frederick Moyer Chair in Finance, ranked 56 out of the 1,000, which places him in the top 6 percent of finance professors. That is an accomplishment worthy of note. That completes my report and, ladies and gentlemen, I'd be pleased to take any questions you may have." As there were no questions forthcoming, Chair Sheffer then invited Provost Hickey to address the body.

REMARKS OF THE PROVOST

"First, I'd like to discuss compression money, round I phase II: The allocation recommendations that were restricted to assoc. professors have all been received from the deans. I've passed those recommendations through as recommended, and they are now in the hands of Human Resources. They will go to the January Board meeting, so those of you receiving additional monies will not see the impact until probably the Feb. paycheck. However, they will be retroactive to the date of the other increases that you got, depending on whether you're 9-month or 12-month. I'm not going to fall into the trap again of giving you a date because then everyone expects that date to be the date that theirs is effective and it varies between 9-month and 12-month faculty. But it is retroactive to that date, and in the first paycheck you will receive a lump sum money for the months that have already passed and then it will be included in your paycheck from that point on. We allocated approximately another \$170,000. There was an issue that was appealed. If you remember, we did include in the assoc. professor ranks all those individuals who were still assoc. professors as well as those individuals who had recently been promoted as of the start of the fall semester from asst. to assoc. We excluded those individuals who had been promoted from assoc. to full. The rationale for that was that those individuals had received a promotional increase. That decision was appealed and the argument was that had we allocated these monies in a single allocation, those individuals would all have been assoc. professors at that time and thus would have participated. I thought a great deal about this and talked with the Academic Salary Affairs Task Force, and then the decision was made that fair is fair and that they were probably right.

Therefore, even though only two of those individuals appealed, with the help of Chand and his colleagues we determined the number of people who were associates recently promoted to full who are otherwise eligible to receive monies. We determined that there were five such individuals, and we have made allocations to the deans of the colleges of those five individuals with the understanding that they can allocate those dollars under the same conditions that they allocated the dollars before. So monies have been added to the budgets in those units to make those individuals eligible for allocations. Whether or not they receive that money is then up to their department chair and their dean. But those will be included in what goes to the Board at the January meeting.

There is approximately \$1,800 left; we are not having phase III, round I for \$1,800. In addition, we still have to make sure on some of the 9 to 12 month conversions that we have enough money. So we will have allotted the full \$1.2 million of the monies that were made available. Any questions on that before I go on to a less tasteful topic?

Spring enrollment: The preliminary numbers that we have now, and remember these are point-to-point comparisons, Monday of this week in comparison to a comparable Monday last spring is probably the best comparison. If we do a point-to-point comparison at this point in time, we are running approximately 5 percent behind in terms of head count and 5 percent behind in terms of credit hr. production. Now Dr. Roney and her colleagues have redoubled their efforts to contact students, and the deans are all aware of this and I hope are taking some steps to try to make sure that students get enrolled. We still have a substantial amount of time for students to register, and we are hopeful that this will be reversed over the next few weeks, or at least at this point in time spring enrollment is not looking as good as we would like for it to look. Any questions on that topic?"

Senator Witt asked the Provost whetherif he had any speculation as to why enrollment was down. The Provost replied with the following remarks:

"It would be strictly speculation at this point in time. We are not allowing students to register who have large balances on their accounts. A significant number of students have balances in excess of \$400 they owe the University. If they sign up on the payment plan, then the hold is taken off of their records and they can enroll. It's a very simple thing to do and we're encouraging them to do it. But what we have found is that there are a number of students, and I don't want to quantify it or give some qualitative description that suggests a quantity, but there are a number of students who owe the University a substantial amount of money and for all intents and purposes have been going to school free for two or three semesters. We give them grades; they can't access their transcripts but they do get grades in the courses. From the standpoint of the state, when they owe us this amount of money they do not count toward the state share of instruction. So the credit hrs. taken by these individuals we get no state money for and we're not getting any tuition from. So the decision has been made to put a hold on their records and then try to work with them to get them signed up on the payment plan. It is possible that some of these students contribute to the shortfall.

I would point out that there may not be a one-to-one correlation between the downturn in credit hr. production and enrollment with regard to these students, because in reality we weren't getting state support for them in the first place and we weren't getting tuition from them. So in fact if you're just talking about that group of students, you could have a decrease in enrollment that would not necessarily be reflected in any downturn in revenues. That's one possibility, and there may be others as well. Again, we may find that this completely turns itself around here in the next few weeks. But in the spirit of open communication and the sharing of misery, I just wanted to make you aware of this."

Senator Erickson then wanted to follow up on these last remarks, particularly as related to the change in policy of when people had to pay. A few years ago students were dropped and could not attend classes if they had not paid by the 14th day. That did increase enrollment for one semester, but as an economist she did not find it surprising that students tried to free ride. This might be a policy that would be worth reviewing again in light of the financial holds.

Provost Hickey asked whether the policy to which Senator Erickson was referring was the deregistration, more affectionately known as the dump. Senator Erickson replied that is was. She was not suggesting it was the only solution, but that we might need to look more closely at how to prevent the free riders than trying to deal with them after the fact. Provost Hickey replied that he understood; there were discussions going on with regard to that very policy.

Senator Erickson continued. She stated that it was to our advantage to let students know as much as possible what was going to happen with Rt. 8 and, more importantly, how they could get around the problems with Rt. 8. It could well be that students were hesitating about enrolling for the next semester thinking, "Why not wait until a later semester when it's all worked out a little better?" It seemed particularly important to make sure that students were aware of ways to make it to campus.

Provost Hickey replied that he was in 100 percent agreement with Senator Erickson. One of the reasons that we had been delaying a bit on that was because we were still in active negotiations with those involved with the Rt. 8 project to keep more of the exits open. Vice President Curtis and his staff had been pushing very hard on that and making good progress. He anticipated that within the next few days, if not a week, we would have that resolved. Then we could clearly tell students the exits that would and would not be open. Early suggestions were such that there really would be only one exit from Rt. 8, and that was problematic. He thought we were moving toward other exits to open now. Other corrective actions also were being taken. The company that had the project was Ruhlin Construction, and Ruhlin Construction was a very good friend of the University, having construction management responsibilities on several of the construction projects on campus. He had worked closely with Jim Ruhlin on some activities in Medina. They were being very cooperative and trying to work with us to understand our problems, our students' problems, and to try to keep as many of these routes open. Once we knew exactly what the routes would be, then be assured there would be a campaign to inform students of what those options were. Provost Hickey then asked should the body permit Dr. Roney to speak on this issue she may have additional information about publicity that the university was planning. Receiving the body's permission to speak, Vice-President Roney stated that an email had been sent to students to let them know about the information sessions that were taking place. As additional maps and information were obtained, the University would also send those out to students. We anticipated that in cooperation with ASG, the University would hold some information sessions in January. As all knew, at this point in the semester it was very difficult for us to do this type of publicity. Therefore, we would focus at the start of the spring semester.

Senator Erickson then asked VP Roney whether she was saying that there was no material being mailed to the students to inform them of what was happening. VP Roney replied that there was a map being developed that highlighted suggested routes to campus. It was her understanding that it had been finished as of yesterday and should be available very shortly on the website. Senator Erickson asked again whether this would be mailed to students. VP Roney replied that she was unable to answer that right now but would certainly look into it.

Provost Hickey then continued with his remarks.

"One last point - an unintended consequence of a new policy, and I'll just touch on this. We have a new policy regarding graduation with honors for transfer students, and as a part of that policy the requirement was increased from 60 credits to 64 credits. That policy didn't go into effect until Oct. 21, if I remember right. The unintended consequence is that we have caught several students about ready to graduate in December in this bind. They had the sufficient number of credits to graduate and GPA to graduate with honors in December under the policy that was in place when they started the fall semester. They do not have enough now. I have made an administrative decision to grant exception to four students this semester who are affected by this. My sense was that these students followed the rules that were in place at the time that they entered the institution and they did not have sufficient time to take corrective action and take another course. It's unfair to a student with a 3.8+ GPA to tell them they can't graduate with honors, so I have granted the exception for this semester and I would like to grant

the exceptions of any that come for spring semester and then make the policy binding as of fall semester 2003. I think that is a fair response to the situation we just didn't think about when there was a policy change."

Senator J. Yoder then asked a question. Regarding the 5 percent student shortfall, if those figures held, what did the Provost see as the likely budget implications for the spring?

Provost Hickey replied that that was a very difficult question to answer with any accuracy since we did not really know how many of those students would be in the category of not having contributed, either through state share of instruction or tuition in the past. The rough number that Amy Gilliland told the PBC this morning was 1.7 million. If the university stayed at that level, there could be a budgetary impact from that decline in enrollment. The budget was built around an enrollment expectation that was at least level with last spring. As there were no further questions for Provost Hickey, Chair Sheffer called for the next report.

UNIVERSITY WELL-BEING COMMITTEE - Senator Erickson began her report (**Appendix A**). The committee had met twice, on Nov. 19 and Dec. 3. On Nov. 19 we had met with Rudy Fenwick, the chair of PBC, for further discussion on an appropriate way to formulate health care options for PBC. This had been a continued process of interaction with PBC on this issue as required by the Senate's resolutions of May '02. A subcommittee was formed consisting of Rick Maringer, Russ Davis and Barbara Osyk, with Desnay Lohrum and herself as ex officio to develop some basic options for the committee to discuss before RFP's were drawn up early next year.

At the Dec. 3 meeting the committee had a presentation on nutrition programs from Evelyn Taylor. The information on those would be provided by the Well-Being Committee members. She suggested that Senators review those as they did have very good programs available to all to improve our health. Desnay Lohrum reported that the Vice President for Finance, Roy Ray, had emailed her that no resources were available this coming fiscal year to pay for the services of Steve Likovich. As Senators would recall, Mr. Likovich was hired to set up an effective monitoring system on health claims and to make a detailed estimate of likely increases in costs for the 2004 and 2005 biennium. You may remember that we went through this last time and also that this was the request made at the May Senate meeting by members of the Senate. But she did note that the assumption was that there wasn't the money to do it, and Desnay noted that the budget office had contacted her about Well-Being's 30 percent increase forecast. She explained to them the basis for our estimate and she's also gotten some alternative estimates, and nobody's are less than 25 percent. The committee is pleased at least that its rough estimate was being considered seriously by the planners, while expressing concern that the Senate recommendation would not be put in place this year because they saw this system as necessary for identifying potential savings in health care costs.

In relation to the request from Senator Gerlach, Ms. Lohrum reported that the Ohio House Bill relating to money in STRS being used for other purposes was at present on hold. However, it might be brought up again early next year. There were going to be discussions with IUC on Friday that would include this. The committee asked that our campus representative, Senator Spiker, bring this up for the interuniversity faculty group's review. With present spending, STRS health care expenditures for retirees and their dependents would seriously compromise available funds. Therefore, STRS was considering potential serious changes. There would be meetings in this area early next year and the Well-Being Committee would be monitoring these.

Senator Erickson concluded her remarks by stating that the next meeting of the Well-Being Committee was on Tues., Jan. 14, at 3:15 p.m. in the Faculty Senate conference room. Any who wished to attend were welcome to do so.

GRADUATE COUNCIL - (See **Appendix B.**)

ACADEMIC POLICIES AND CALENDAR COMMITTEE - Associate Provost Stokes began her report by calling Senators' attention to the three motions coming from Academic Policies & Calendar Committee. These had been emailed to Senators two weeks ago. She began with the first one, rule 3359-20-03.7(C)(2), which has to do with the awarding of reappointment in the case of early tenure (**Appendix C-1**). Chair Sheffer called for discussion of the motion. None forthcoming, a vote was taken and the Senate approved the motion.

Associate Provost Stokes continued with the second item which dealt with the **undergraduate bulletin requirement for additional baccalaureate and associate degrees. Language was being inserted to say that students earned a minimum of x amount of credits after the awarding of the first baccalaureate and it needed to be in residence (Appendix C-2)**. There had been a question from Senator Wyszynski about the "in residence" clause. Upon further investigation it had been determined that as long as a student was a registered University of Akron student, he/she could be taking transient credit and still be considered in residence. If a student was doing transfer credit, he/she was not in residence. That was because he/she would then be a student at another university.

Chair Sheffer called for further discussion. None forthcoming, the body then voted its approval of the motion.

Associate Provost Stokes continued her report. The third item was **rule 3359-20-05.1(I)** which dealt with repeating courses from the undergraduate bulletin (**Appendix C-3**). The changes that were done to this rule were: In item 1) it was divided out so that it was easier to read and to clarify what was meant by graded grades and non-credit grades and audit grades. This was the basic change to it.

Senator Dalton then asked whether the body was considering this as a whole piece or just the parts being changed. Chair Sheffer replied that the body was considering only the parts being changed. No further discussion forthcoming, the Senate then approved the motion. Associate Provost Stokes then thanked the body, adding the comment that sending out material ahead of time certainly facilitated this process.

CAMPUS FACILITIES PLANNING COMMITTEE - Senator Sterns began his report by complimenting the working relationship the committee had with Jim Haskell. In one of the previous Chronicles, some people felt that he had been critical of the relationship. Jim and he had talked and we confirmed that we had a good working relationship. Senator Sterns wanted to say publicly that he really was pleased to have had the opportunity to work with Mr. Haskell, and Senator Sterns applauded him for his very good work.

Senator Sterns continued with the CFPC report (**Appendix D**). The committee had two major resolutions. One was a resolution to provide space for Randstadt, which was the service used for temporary employment here at the University. He introduced the resolution: **The Faculty Senate endorses the temporary use of 325J and 323C in the Polsky Building as space to house Randstadt.**

Chair Sheffer called for discussion of the resolution. None forthcoming, a vote was taken. The Senate voted its approval of the resolution.

Senator Sterns continued. The other major endorsement was for our new Student Affairs Building. He felt that the committee was especially pleased with the design that was brought forward in this regard. He then introduced the resolution: **The Faculty Senate endorses the plans for the new Student Affairs Building to be located east of the north parking deck and northwest of the College of Arts & Sciences Building.**

Chair Sheffer called for discussion of the resolution. Senator Erickson noted that the plans called for 12 offices for full-time and 8 offices for part-time advisors. She then noted concerns regarding the number of advisors at the University. However, the plans seemed to indicate the potential for more offices for additional full-time advisors.

Senator Sterns pointed out that the 250-seat auditorium was included as part of that which would help greatly with orientation and visits to campus and other presentations. This was something we had not had previously which would be very helpful. Aesthetically, the design was very well done. It would mirror and match the new Arts & Sciences Building.

No further discussion forthcoming, the Chair called for a vote on the resolution. The Senate approved the resolution. Senator Sterns then addressed the Rt. 8 issue. This was an evolving issue; new options materialized everyday. At the Board of Trustees meeting just yesterday Mr. Curtis talked about what Provost Hickey and President Proenza were mentioning to us, that the process of looking at the construction approach, looking at the possibility of different traffic patterns was currently under discussion now. There would be a new telephone line with an easy-to-remember moniker of 972-Park, with information on road closures and parking information. We also would have the new hot link on the UA web pg. and also a radio frequency, 530AM, which would be put in place to provide information to routes to campus. The Department of Transportation had also developed an alternative northern route coming to the campus and an alternative southern route which would be laid out and demarcated. That was not finalized yet. For those wishing a more scenic drive to campus, the committee would provide an opportunity to tour some of the neighborhoods of Akron. From what he could tell, everybody was doing everything possible to deal with a very difficult situation. We, as Faculty Senators, should do our darndest to point people in the right direction to get the information that was required.

Senator Hebert then had a question for Senator Sterns. At a meeting or two ago there was discussion about the use of the name Gardner on the new student center or student services building. He was wondering where that particular issue stood.

Senator Sterns replied that the committee put together a document with the entire history of why we supported the continuation of the Gardner name. That document had been forwarded to the Provost and the President. At this point, it was under consideration. Either, or both, the student center or the student services building would be appropriate as a way of honoring Donifred Gardner. We were trying as a committee to be very supportive of that naming concept, and our student representatives felt very strongly about this. But we also wanted to give our leadership some flexibility in decision making. He had been in contact with Patricia Simmons and had had a number of conversations with her to encourage her working with our Department of Development and knew she was doing so. We also had

the issue still of how we were going to remember the name of Hazelton Simmons. Although he had not mentioned these items, rest assured they were still under consideration and deliberation within the committee.

COMPUTING AND COMMUNICATIONS TECHNOLOGIES COMMITTEE - Senator Norfolk began his report by stating that the committee was going to be working during the next few months on a policy for purchasing those faculty laptops. When the lease expired on July 1, 2004, they would have some intrinsic value. CCTC was going to try to talk about who should be able to buy them and where the money was going to end up.

PLANNING AND BUDGETING COMMITTEE - Senator Fenwick began his report (**Appendix E**) by stating that the committee had heard preliminary budget numbers, and the emphasis was on the word, "preliminary." However, to start off, PBC had two motions to bring to the Senate. The first regarded the split in information technology fees. This came from the representative on PBC from the College of Fine & Applied Arts. The concern from CFAA was, why was all the revenue raised by increasing the technology fee from \$11 to \$12 going to IT instead of continuing or maintaining a 35-65 split - 35 going to the college and 65 going to IT. After listening to these concerns, the PBC passed the following motion to be presented to the Senate as motion #1: **To have the Faculty Senate forward the issue of the distribution of the technology fees to the Computing and Communications Technologies Committee to re-evaluate and renegotiate.** The rationale for that was that the original split was based on a three-year agreement, which had since expired.

Chair Sheffer called for discussion of the motion to refer this issue to CTCC. None forthcoming, the Senate then approved the motion.

Senator Fenwick continued. The second motion came from a subcommittee of PBC which was the ROI Assessment and Review Subcommittee. Motion #2 was: **To have academic units begin collecting comparative ROI data from similar units at other institutions of higher education. Data should be collected for two different groups of institutions and kept separate: (1) institutions that are comparable, and (2) institutions that the unit aspires to be like. Justification for inclusion of both comparable and aspirational institutions should be included. Also, in addition to collecting external data, the academic units should begin collecting ROI data internally for the past five fiscal years (back to 1997).** The rationale was based on the fact that the initial 1.7 ROI number was based on the general administrative overhead costs at The University of Akron. The uniform ratio required all units to contribute overhead costs at the same rate, but failed to reflect the likelihood that units differed in their consumption of administrative and infrastructural resources. By establishing benchmark ROI results from university units that were comparable to The University of Akron and to external units of which The University of Akron units aspire to be like, we could provide perhaps more accurate ROI data for comparison.

Chair Sheffer then called for discussion of the motion. Senator Gunn asked what was being defined as a unit - a college, a school? Senator Fenwick replied that colleges were being considered a unit.

Senator Steiner asked whether there had been any looking into how accessible the kind of data addressed from other institutions would be. Would this be readily available? Senator Fenwick replied that some units had already begun looking into it and had developed numbers for this, including the School of Law and the College of Arts & Sciences.

Senator Erickson asked for a point of clarification. Senator Fenwick was talking about the quantitative part of the ROI and not the qualitative. Was that correct? Senator Fenwick replied affirmatively. Senator Erickson then asked whether similar measures would be gathered for the qualitative side. Senator Fenwick replied that PBC had not received the final report from the qualitative side, so this was just the first phase.

Senator Wyszynski asked for the rationale for point (B) in the motion. Senator Fenwick replied that it was to see whether or not the units were moving or becoming more efficient over time. That was as important as looking at external, to see how they were changing over time.

Senator Witt then asked whether this meant that academic units could expect some direction about which data to collect from PBC. Senator Fenwick referred that to Senator Lee as he himself was not clear on the question. Senator Witt then interjected with the remark that the motion was asking that academic units collect data from similar units. He would just like to know what data points PBC was talking about.

Provost Hickey stated that data collected by the School of Law were basically overhead costs charged to law schools around the country. At last count Dean Aynes had collected information from 54 different law schools. He thought that if one set about asking colleges what their ROI value was, one would probably get a very blank stare. If on the other hand one asked what the overhead charges to the college were, that was going to be a more meaningful request. He was confident that Dean Aynes would be more than happy to work with the other deans, to share with them the approach that he took in collecting the data as well as the questions that he asked. He actually put together a questionnaire that he sent out to other deans at law schools around the country. This was going to be most difficult to do in the Arts & Sciences and the College of Fine & Applied Arts. This was because around the country one would not find the same units, particularly Fine & Applied Arts. Therefore, the data may have to be collected on the school basis as opposed to colleges.

Senator Witt then asked whether the actual data points, the data that the units would be looking for, would be commonly held in the academic units. Was that a fair assumption?

Provost Hickey replied that he thought that one would find that some universities did not have any idea of what the relative overheads were for the various units. An institution like Indiana University had full-blown responsibility-centered budgeting; they would be able to tell to the penny what the overhead costs were. Most comparable benchmark colleges that deans were going to call were going to be able to understand the request once explained. But it would probably have to be explained in terms of what institutional overhead was expected from their college of engineering or school of law, etc.

Senator Calvo asked, when we developed an ROI of 1.7, whether we had done this analysis within the University to find out whether that was a meaningful overhead number for us. Senator Fenwick stated that the 1.7 was the general overhead, the cost of doing business at The University of Akron.

Senator Calvo then asked whether there were data in the University back five years that would allow us to assess what that actually was per unit. Provost Hickey replied that he thought so, and in fact we had for three years looked at the average when we were trying to come up with some reasonable numbers. He thought it would be possible to go back another two years. It turned out in a lot of the data that it was fairly easy to go back 5-7 years, but further back than that some frequency of holes in the data increased. In that regard Phil Brown was actually working and was making good progress generating

an ROI for each academic department within each college. When that data was available, it would be shared with the deans as a current ROI. Once the data had been segmented it should be relatively easy to take that back five years as well.

Senator Graham stated that he was trying to get a sense as to where this was headed. As he recalled, last year the Faculty Senate had approved in principle at least the quantitative side of what was called the magnetized ROI which envisioned that 1.7 figure. Now were we talking about adjusting that to create different ROI figures for each unit?

Senator Fenwick replied that that was a possibility. To which Provost Hickey added that this had actually come about as a request from department chairs. The department chairs requested that this information be collected. Where the information was leading, one could probably get as many answers as people asked. At this point in time PBC had responded to the requests made by department chairs.

Senator Dalton then asked whether this were a continuous collection process. Also, what time frame was the PBC going to ask that it be done by?

Senator Fenwick replied that PBC did not have an end date, but as soon as possible. Senator Dalton repeated his request regarding data collection. Was it going to be continuous as well, or was PBC just asking them to collect for a certain period of time and then stop?

Provost Hickey replied that in a way, the ROI process itself required that it be continuous within the University. Whether or not it was continuous with regard to collecting this information each from a series of selected institutions, that had not been discussed. It was probably quite reasonable to do that over time in order to find out whether there were shifts in average overhead costs at other institutions around the country. That was not a part of the original request, but he did not think that that was an unreasonable thing to do once we established relationships with the defined population of universities.

Senator Lee then spoke. He mentioned that the ROI Assessment and Review Subcommittee of the PBC produced a report within the PBC which identified the goals of the ROI model that addressed the flaws in prior budgeting models as well as the continuing flaws and perhaps unintended consequences of the ROI model that was currently formed. In the context of that, one of the points that committee members thought needed some attention was the 1.7 ROI. This 1.7 was applied to all units but might not be fairly applicable to all units for various reasons. This was not an agreement for PBC at any point to say that we were going to shift entirely to a unit, ROI's that were based only on benchmarks with other similar units at other universities. Rather, PBC found we had no information. For instance, what did other law schools cost at other universities? Was our law school an expensive one compared to other law schools? The effort of getting all this benchmarking data was so that at least we could get some information. We knew we were not going to get the same perfect comparison, because lots of universities and colleges were not going to be able to provide us with the exact kinds of numbers for that same accounting. But at least we would get some range for what a typical college of education costs at a university. Then we could take that information and figure out what to do with it with regard to the ROI formula. Senator Graham was correct in that this showed a direction towards taking into account relative expenses of a unit. However, there has not been a decision made at PBC to shift to unit-specific goals.

Senator Fenwick added that PBC wanted more information in developing ROI. The analogy he used of 1.7 was a grand overall means. Now we were looking to tweak that and see whether there were more precise measures.

Senator Steiner stated that it seemed to him that in order for this to be a meaningful exercise, units were going to need specific instructions as to what information needed to be collected from other institutions including the specific components. In that vein he offered an amendment to this motion stating that guidelines as to specific data to be collected should be provided by the Provost's office. Senator Hebert then seconded the motion. Senator Gerlach pointed out that the amendment was highly imprecise; it needed to be spelled out. Senator Steiner obliged with the following amendment to the motion: **Guidelines as to the specific data to be collected will be provided by the Provost's office.** No further discussion of the amendment to the motion forthcoming, the body then approved this amendment. Discussion of the motion continued.

Senator Dalton then called the question. Senator Wilkinson seconded this. With the necessary two-thirds vote, (45 for, 17 against), the Senate approved the motion to call the question. Chair Sheffer called for a vote on the amended motion from PBC. The Senate approved this motion with two Senators voting against it.

Senator Fenwick continued by stating that the PBC had heard preliminary budget figures presented by Vice President Ray and Amy Gilliland; preliminary was to emphasize that we were going to have a preliminary budget for the Senate at the February meeting. In the meantime as PBC worked through the process, any discussion or questions to the committee could be asked over the Senate list-serve. If questions or concerns were sent, they would be brought to PBC. What we heard today was that there were five basic assumptions which, if they held, meant that The University of Akron in the next fiscal year would face a \$7.6 million deficit. Again, this was preliminary. The assumptions could change as we went through the process. One assumption was that the \$5.2 million shortfall for fiscal year 02-03 would continue. We addressed it this year with one-time cuts. Those cuts were made and the \$5.2 million deficit continued. The second assumption was that there would be flat enrollment. The third assumption was that the state would impose a 6 percent tuition cap increase. The fourth assumption was that the budgeted state share of instruction would be flat, and the fifth assumption was that we anticipated an increase in group insurance contracts. All current contracts would expire at the end of next year. It was expected that for the next six months after that the costs would increase by \$1.2 million.

Senator Erickson stated that that was half and asked whether that was the assumption. Senator Fenwick replied that that was the assumption. This figure was what the University would pick up for half a year. Senator Erickson replied that that was incorrect. 2.4 million was what we had for six months. She had given the material at PBC so that PBC could have the exact figures, but she did not have them with her now - had PBC decided to use the 1.2 figure which was half? Senator Fenwick replied that that would be his understanding. Again, assumptions could change.

Senator Maringer stated that it was not his understanding that PBC had agreed to only pick up 1.2. His understanding was that in this initial very first set of numbers, we had the figure 1.2 million in there. It might be in error, and we might change that as a result of something like this information coming in. He asked Senator Fenwick whether this was correct. Senator Fenwick replied that what he had heard this morning was a 22 percent increase in health care costs.

Senator Maringer then stated that Amy Gilliland assumed that it was \$1.2 million. She thought she was putting that full amount in for half a year. It was not that PBC had made a decision that we were going to cover just a certain amount. Senator Erickson then asked whether Senator Maringer was saying that this assumption was a 22% increase which was just what we had last year, because at the moment we were not getting anything less than a 25% increase from the Well-Being Committee.

Senator Lee stated that he thought this was just a simple misunderstanding. There had been no discussion about picking up any of it, absorbing it in the budget. Our understanding was that we were just putting on the budget the increase in costs. Now the fact that it was 1.2 was just a misunderstanding, when what you're telling us is that 2.4 is already half. We stand corrected that the budget deficit with all the health care costs anticipated included will be 1.2 million more.

Senator Fenwick continued. What the model did not include was a merit salary pool or another round of compression. This was, again, just a conservative estimate of the preliminary budget. It was possible if we wanted to include this, that the budget could be higher or the deficit could be higher. It was possible that the state, if they followed the Governor's proposal, could increase higher education funding, which would mitigate to some extent assumption 4. It could be that the 6 percent tuition cap would not be imposed. All of these were again preliminary.

Provost Hickey then offered clarification. The fact that there was not a merit pool nor another round of compression was simply due to the fact that this was a compression of the base budget situation of all revenues we could anticipate and all expenses we were confident we had to cover. It was a starting point for the PBC to begin to discuss what other items were going to be included on the expense side and what other ways revenues might be enhanced. It was a starting point and a lot of things got left out of what could be in there. But even with the starting point right now, we were looking at 7.6 million. As PBC recommended moving things in and out of the budget, that bottom line was going to fluctuate over the next few weeks. He wanted to point out to all that PBC had agreed to work pretty much across the holidays to make sure we got a budget recommendation in the hands of the Senate no later than the February meeting.

President Proenza then stated he wished to add to Provost Hickey's remarks. Remember, we had said that we wanted to start the budget planning process early, to get a good planning and budgeting calendar. That process for planning that calendar had begun and several Senators were involved in that planning with the Senate, with my office, and so forth. We were starting early to envision where we might go. Again, he did appreciate the fact that at this point we had to make some very broad and not necessarily warrantable in the end result assumptions, so please keep that in mind. In keeping with what Dr. Hickey had said, the President's second point was that he had asked Vice President Ray, as well as the Provost and, through them, the PBC, to keep in their radar screen planning for a possible merit increase, planning for the next step in our three-to-four year plan for moving the University faculty salaries and other staff salaries to the 75th percentile. So all these things were going to remain on the radar screen. However, let us be realistic about what and when things would become available for us. We might not know, for example, the state appropriations until late, but he had requested of the senior administration and, through them, PBC, that we wanted to present a budget to the Trustees next April. Obviously, that might need to be amended subsequently based on appropriations, but based on all the other available data, we would have a budget ready to go to the Trustees in April.

Senator Norfolk then stated that the one thing that concerned him in particular was that even though the ROI figures were going to show that certain divisions generated far more income, by the time the deck

was shuffled, even more money would be taken out of those budgets because they had the biggest budgets. It was like eating one's own leg when one was on a desert island; it did not work for any length of time. So the other issue he wanted to raise in connection with the salary information we had and the ROI benchmarks, was that we had to be careful. We did not want to adopt the profile of an institution worse off than ours.

Senator J. Yoder had a question about the assumption of flat enrollment. Given that we were seeing shifts in our enrollment, what were we talking about here? Was this the 5 percent down-flat or was this the 1 percent up-flat? Senator Fenwick replied that the enrollment was from this past Fall. To which Senator J. Yoder replied that given the 14-day head count which had 1 percent of credit hr. production, if we really were at 5 percent down, this assumption of flat enrollment was going to be more loss here than was currently being calculated. Was that what Senator Fenwick was saying? He replied that it was Chair Sheffer then asked whether anyone would have objection to Vice President Roy Ray speaking.

None forthcoming, Vice President Ray spoke to the issue by adding that the University would adjust the enrollment projection or assumption after we get the 14- day count in the spring.

Chair Sheffer stated that the next report was a special report from David Ayers, who was the Director of the Office of International Programs. He was going to introduce the new regulations from the INS called SEVIS. (Refer to slides which are attached as **Appendix F**.) Dr. Ayers began his presentation at this time.

"I have a few slides to help explain what this SETUS mandate is. It's the unfunded federal mandate to help keep track of international students and scholars. It originally was born out of the 1993 bombing of the World Trade Center, and it started the 1996 Immigration Reform Act. It kind of laid dormant for a number of years until Sept. 11, which accelerated the speed of that legislation. There are some reasons why it laid dormant. They wanted to give the charge to universities to do fingerprinting, to charge the State Department for visa issuance. They wanted to do that at the expense of the universities, so there was a fairly large resistance from university communities against the State Dept.

The student and exchange visitor information system is where the acronym comes from. The current stats at The University of Akron this fall is 933 total international students and scholars, the majority being graduate students (almost 600 graduate students, 181 undergraduate students, 108 scholars). The scholars are either J1 or H1. There are 52 in the English language institute, those students unprepared for academic work because of language skills from 90 different countries. That represents 17 percent of University of Akron graduate students, and less than 1 percent at the undergraduate level. The impact for us at The University of Akron from the College of Polymer Science & Engineering is 70 percent which are made up of international students. At the graduate level for the College of Engineering it's 64 percent; College of Business, 24 percent; College of Arts & Sciences, 22 percent.

Dr. Ayers introduced Mr. Tom Creamer, who was the immigration specialist and did a lot of work with faculty on H1 visas and recently with permanent resident applications. Dr. Ayers then continued.

"The SEVIS program objective is to capture, maintain and monitor information on students and visitors, reduce data errors, expedite data transfer, and minimize fraud and increase security to provide for better information sharing with the INS, Dept. of State, intelligence and law enforcement agencies. A little bit of historical context: As I said before, in 1996 there was a large Immigration Reform Act following the

1993 bombing of the World Trade Center. The mandate was to collect F & J information. It includes visa overstays, unlawful presence, and bars to reentry. That means that if you fall out of status as an international student and remain in the country and stay in excess of 180 days, then you're limited to be able to come back in the U.S. So if you stay in the U.S. in a status that is illegal, there's punitive repercussions.

More context - in November, 2001, the U.S. Patriot Act with the whole idea of having better tools to intercept and obstruct terrorism. It intensifies data collection and provides funding to establish national tracking. The up-front funding was the whole issue that kept this tied up in legislation since 1996. They were wanting the international students in the universities to fund the whole system for the software and internet system it took to keep track of this, and there was such resistance that the legislation never got approved until 9/11.

In May 2002 there have been reform acts at the border that involved a lot of our students. It used to be that we could send students who had a problem with their status to Canada, they could apply for a visa to correct the visa problem, and come back to the U.S. That stopped and now it's more precarious for students who fall out of status to go to Canada and correct their immigration status. All I mean by falling out of status is an undergraduate student must complete 12 hrs. every semester to maintain his status. A graduate student must complete at least 9 hrs. to maintain his status. There are other regulations like that for international students. They are not allowed to work off campus without authorization. They're allowed to work up to 20 hrs. a week on campus, those types of things. If a student fails to do that, they lose their status.

There are a couple of ways to get back in status. They can make application to immigration service through our office; we give an explanation and beg for forgiveness, and sometimes they're reinstated without leaving the country. If that doesn't work, they have to leave the country. The punishment is leaving the country, and they have to go back and apply again to reenter, and that clears their status and everything's fine. That was until now, and SEVIS has changed that whole program.

Starting July 1, 2002, institutions participated voluntarily in the SEVIS program. Most of those institutions were with international student populations of less than 500. It's a real web-based system that connects universities, U.S. embassies abroad, and ports of entry on real time so everyone knows who gets the appropriate documentation at the University, on whose documentation the visa is issued, and when they enter the country. That's all kept on real time. Right now it's all paper-based and no one really knows what's happening. Once a student comes into the country, the documentations we give the student we'll receive back in our office six months later. So it takes that long for us to get confirmation that that student entered the country.

Now the ones that show up here we know that; but the ones that use our I-20 and do not show up here could be California. We typically get about 40% yield of the documents we send and we sent about 400 for the fall semester. Of the 400, we'll get about 200 coming from these documentations. Part of the reason is that they may have applied to five different schools and we don't know which one they're going to select. So this new SEVIS program will eliminate that. Until now students had an option - they could take a look at the school and say I don't want to go here, I'm going to go somewhere else. With the SEVIS mandate they cannot do that. As soon as they use the first I-20 to obtain the visa, all the other ones are made invalid.

The Batch process is supposed to begin this fall with INS and the State Dept. providing that. It's yet to be given to the users but we're expecting it any day now they said, or soon we often hear. In the interim, on Sept. 12 of this year they came up with ISEAS, and ISEAS stands for interim student exchange authentication system. That's another data base that whenever you produce a document we have to get on line and enter in the documentation for each student stating that it's a legitimate student who's eligible for a visa and until the SEVIS is put in place, this ISEAS is the interim, so this complicates their life a great deal. Even the U.S. consulates with access to this data base will call us, email us, phone us and say the stuff has not been entered, so it's a very problematic system.

On Jan. 1, 2003, everyone who wants to host international students and scholars must comply; you have no option. So as I said, it's an unfunded federal mandate that we have to do it. Then we'll all be on real time with shared information. On Jan. 30 universities have to comply. ISEAS is the interim, and until SEVIS is here we must enter all new applications, must enter current students with any contact that is made with our office, must also email or fax U.S. embassies upon demand or they can't get a visa, and that's happened numerous times. Right now with the existing system we're required to keep all this information on each student in a file in our office, which we do. Until now though we didn't have to report it; it's just there in case the immigration service wants it and they can ask us. We've contacted Ted Mallo's office that we've been requested for this information, and his office actually releases it.

Now with SEVIS that changes. All this stuff is automatically to be transmitted to them and it includes a lot of stuff from the proposed regulations of May 16 which includes more information on spouses, address changes, and if a student drops a course we have ten days to report it. All that stuff is being mandated, so institutions with greater than 500 students have a data base for us to do that. We've gone through that process of looking for those companies to provide that kind of data base. Failure to maintain status or complete programs - everything like that must be reported.

The current system: Right now we use a system that's an in-house system called visa manager and we produce a hard pg. document from our printer; we mail it to the student and the student can go to the INS, Dept. of State, to apply for a visa using that document that we send by mail. Then he goes to the port of entry, California or New York, and then the INS tracks him with that hard document. He uses it for other reasons as well; sometimes governments require a student to have the I-20 before they issue the passport, so it's used for a variety of reasons. That's in the past. Now with this new SEVIS that began on July 1, it's a web-based system. The international student advisor puts in the information and it's electronically submitted to the INS, port of entry, Dept. of State, and homeland security offices. So it's all real time, and the I-20 will now have a bar code so you can screen it using that kind of technology, so it's quite different.

With institutions with greater than 500 students, we're going to a Batch processing reporting system because we will have to take weekly and sometimes daily reports that will indicate when a student is out of status for some reason. That's where the academics come in. Many of you who advise graduate students, especially toward the end of their program when they seem to be in the dissertation stage for a number of semesters and you begin wondering whether this guy is ever going to leave or is he going to be here forever is a concern for them if they intend to stay beyond being a student. If they go back home it's not a problem. If they want to adjust their status to H-1 visa, to permanent residency, all those records are looked at and they must justify those semesters they were here. If it's legitimate research, if they're really working on a dissertation that requires extended amounts of time, it's probably not a problem but it's got to be well-documented. And every time they're less than full time, we have to document it. So we'll be in contact with the departments asking the question, is this legitimate or not?

We have no idea, but if it comes up that he's only had one hr. for three semesters, we start to ask the obvious question of, what's he doing?

Senator Gunn then asked that when Dr. Ayers said, "less than full-time," was there a minimum? Dr. Ayers replied that yes, it was 9 hrs. for grad, 12 for undergrad. Less than 9 was less than full-time. A student could not take 9 hrs., drop 3, and still be in status. Senator Calvo asked whether that were 9 hrs. a semester; Dr. Ayers replied that it was and did not include the summer.

Provost Hickey then asked what responsibility the University had to ensure that the student was actually here. We did not take attendance in courses, and a student could be registered for 9 hrs., never show up for class, not even be at the University or in the city or state for a whole semester. Did we have an obligation to verify attendance?

Dr. Ayers replied that we did. We had an obligation for enrollment. So at the point of entry using our I-20, then we knew they should arrive here. We got 30 days to report that.

Provost Hickey then said, so they arrive here and enroll, then leave. Did we have an obligation to track them beyond that? Dr. Ayers replied that we did, but no one knew exactly how. It had been mandated and he thought this was similar to financial aid. We never knew when a student receiving financial aid actually left; it was a similar dynamic.

Dr. Ayers then continued with his presentation.

"Another thing that's more problematic than that is we have ten days to report address changes. Now some of these kids might change addresses three times in one semester. So that's the kind of stuff that's going to drive us crazy, and also dependents. When a dependent comes and goes, that's very difficult for us to know. There's no enrollment, and how do you track and how do you report that? Those are the kinds of issues that haven't been worked out yet, but we're being asked to report.

SEVIS school responsibilities: We have to seek recertification by INS and Dept. of State, and we've already done that electronically. After we do that the immigration service sends a person to look at the facility to verify that it's not a fly-by-night beauty school or something, that we actually exist with classrooms and a library. We've already done that and they randomly select five students, look at their records, etc. We are working with CIS right now to look at the different data points that we have, and there are some things that are really problematic for us, primarily related to scholars. The scholars come and go not at semester time. They could come for three weeks during the semester; they don't need to check into our office. The departments see them, and if they're not funded by the department that's even harder to track. The ones that Payroll can be involved with the ones that are funded by our office. We know they're being paid so we know they're here. The ones that are not paid by The University of Akron but are funded by home institutions, those are the really difficult ones to track and those are the ones probably needing college support to help us do the tracking necessary. We also have to respond to requests from INS or the Dept. of State.

In summary, the SEVIS system is a web-based automated tracking system, fully implementable by January 30, 2003 - good goals, great confidence of the documents' authenticity when applying for a visa or entering the U.S. The system we use now in fact has not changed here at this institution since 1946. Very similar documents we used in 1946 we use today, and that's how antiquated the system is and that's why it doesn't work very effectively. I might add though that after 9/11 none of them came from a

2-yr. or 4-yr. institution, not one. But this legislation is effective before your 2-yr. institutions, so it's winnowing out all those institutions that could issue I-20's.

Provost Hickey asked whether these were proprietary schools. Dr. Ayers replied:

"Yes, or language schools associated with universities that can issue their own I-20's like ours. Our language school can issue their own I-20's. ISEAS will drop off the map as soon as SEVIS is completed. There's very little tolerance for students being out of status. It reduces the ability of foreign student advisors to correct a record, so once we do a reporting, if students are less than full-time, if we've contacted departments and don't have the information, if they're out of status or not, we're going to have to err on the side of the law on this. So that's why it's critical we have some effective communication with departments and have that discussion. We don't want to report a student who shouldn't be reported, because once he's reported he's in a very difficult situation. This is going to require new software which we've already ordered, and it will require better tracking of scholars and will involve the academic side in great detail. In fact, Vice President Newkome is the one who asked me to come and share this with the academic side of the house, so be prepared because this is going to be messy for all of us. We must develop business practices to collect this data, and it requires upgrades in hardware at least in our office and also in the ELI, which is a good thing for us as we get updated equipment.

Status here - we have a task force set up to address some of these issues from a variety of offices - payroll, grad. school, my office, cashier's office, Center for Information Systems, Registrar's office, HR, and student discipline. Even if a student gets into a disciplinary issue on campus that leads to a conviction, that has to be reported as well. If a student went before the University Review Board and was found responsible, we did not have to report that. If it resulted in a conviction, we did.

Senator Lee then asked, if a foreign student were to participate in a sit-in and then be arrested for disturbing the peace, did the University have to report that to the justice department? Dr. Ayers replied that it would.

Dr. Ayers concluded his presentation by adding that the official regulations had not even been printed yet, so this was all speculation, all on the proposed regulations of May 16 and starting in January '03.

Senator Schmith then asked what the total cost for the software and hardware that was to be ordered was. Dr. Ayers replied that it was \$61,000. Senator Schmith asked whether that had been planned for in the budget. Dr. Ayers replied that it was an unfunded mandate.

Dr. Hickey then asked that if found to be out-of-compliance, what penalties the University would face?

Dr. Ayers replied that we would not be allowed to host international students and scholars the beginning of January. Mr. Creamer added that all current students that were on non-immigrant status would have to transfer by the end of that semester, by May 03.

Senator Gunn then asked whether the information had gone out to all of our international students. For example, we just had one go home to India for her brother's wedding. Was that student mandated to report to Dr. Ayers?

Dr. Ayers replied that in order to travel, students had to get signed documents to travel. His office had a regular newsletter; they were telling students that unless they had to travel, not to, especially if they

needed to renew their visas. We had a Ph.D. student in polymers who went back home and he was still there, just working through the process of getting his visa renewed. He was at the point of defending his dissertation and he cannot get back in.

Mr. Creamer then pointed out that for some reason, we were having a lot of difficulty with the embassies in China granting visas to students. He knew in the hard sciences we drew a lot of our students from there. In the Middle East, if a student needed to renew a visa and they went home, the U.S. government had now mandated that the paperwork be sent to Washington and renewed in Washington, which was the case of the student that was still stuck there. They were still "reviewing" his paperwork. So while their office was advising students not to travel, it was very difficult to tell students who had been saving up for three years and had not been home in three years not to go home. He suggested that if any of those present were in contact with international students and they had any questions, to please give their office a call for an update. Like Dr. Ayers had said, the law had not even been passed yet.

Senator Kahl then asked whom would students contact? Did Mr. Creamer have a name and a phone number if students had problems or questions? Dr. Ayers replied that students could contact them but there was very little they could do. If students were refused a visa in the U.S. Consulate, there was very little his office could do. If it were another problem, they could call International Programs at the Polsky building.

Mr. Creamer added that they would be having two seminars next semester; one to go over specific changes once the law was passed, and the other for employment information.

Senator Konet then had a question about travel. Were these students allowed to travel within the country, or was it only an issue of their leaving the country? Dr. Ayers replied that it was only the issue of their crossing the border, not leaving but coming back in. It was easy to leave, but hard to get back in. They were telling students it was wise to carry their passports, their I-20, I-94, if they were ever stopped in an airport. And they had been since 9/11. Students should have documentation showing why they were here and what their purpose was.

Chair Sheffer then thanked Dr. Ayers and Mr. Creamer for the presentation.

V. NEW BUSINESS - Senator Gerlach indicated he had a question about the newly proposed revision of the bylaws from the Executive Committee (**Appendix G**). He appreciated what was attempted here, but he reminded the Senate that he had no access to what was called the Senate list-serve. He thought that there was a little bit of a risk here. These recommendations that were being proposed, such as those that came to us today in advance, should be recommendations from committees as opposed to individual members. Whenever it was in order, he wanted to propose an amendment to this language. Otherwise, if this was to say that no member could suddenly and at the last minute, except by an override of a majority vote, introduce a motion or resolution of some sort, this motion would cramp the style of the Senators. Now if the idea was to cramp the style of the committees and make them do their work in advance, he approved of that; that was very helpful. He proposed that either now or later when we addressed it that after the words "major recommendations" the words be inserted, "from committees." That would take care of the main thrust of the idea.

Chair Sheffer asked whether the body could deal with Senator Gerlach's amendment at the next meeting. Senator Gerlach agreed, as long as it was pertinent to do it then and did not further hold things

up. Chair Sheffer replied that he thought Senator Gerlach could amend it and act on it at that time.

Chair Sheffer then called for a motion to adjourn. The motion was made and seconded. The meeting adjourned at 4:55 p.m.

Transcript prepared by Marilyn Quillin