

## **MINUTES OF THE FACULTY SENATE MEETING OF NOVEMBER 6, 2003**

The regular meeting of the Faculty Senate was held on Thursday, November 6, 2003, in Room 201 of the Buckingham Center for Continuing Education. Chair Dan Sheffer called the meeting to order at precisely 3:00 p.m.

Forty-four of the sixty-five Faculty Senators were in attendance. Senators Covrig, Drew, Hoo Fatt, Kolcaba, Pelz, Pope, Witt, W.Yoder, and Yousey were absent with notice. Senators Carri, Conrad, Crain, Krovi, Lee, Maringer, Svehla, J.Yoder, and Zachariah were absent without notice.

### **SENATE ACTIONS**

**\* APPROVED FALL 2003 COMMENCEMENT CANDIDATES.**

**\* REGARDING DOMESTIC PARTNER BENEFITS:**

**1.) APPROVED WELL-BEING COMMITTEE RECOMMENDATIONS I – IV;**

**2.) REFERRED WELL-BEING COMMITTEE RECOMMENDATION V BACK TO COMMITTEE TO EXAMINE COST ISSUE.**

**\* CHARGED WELL-BEING COMMITTEE WITH TASK OF IDENTIFYING MEANS OF EXTENDING HEALTH CARE INSURANCE TO DOMESTIC PARTNERS.**

**I. APPROVAL OF THE AGENDA** - Chair Sheffer called for corrections or additions to the meeting's agenda. None forthcoming, he then called for a motion to approve the agenda. Senator Rich made the motion which was seconded. The body then voted its approval of the agenda.

**II. APPROVAL OF THE MINUTES OF OCTOBER 2, 2003** - Secretary Kennedy had one correction to the minutes of October 2, 2003. On page 32, an "r" had been inserted into Senator Norfolk's name where there should have been an "l". She apologized to the Senator for this mistake.

Senator Wilkinson then made a motion to approve the minutes; Senator Jeantet seconded this motion. The body then voted its approval of the minutes of October 2, 2003, with the above-mentioned correction.

**III. REMARKS OF THE CHAIR** – Chair Sheffer stated he wished to begin the meeting by updating members of the Senate on the issue regarding the changes to the University Governance and Policy Rules including those to the Senate Bylaws made by the Board of Trustees at their Aug. 20 meeting. As Senators would recall, at the September meeting of Faculty Senate a resolution was passed requesting the Board of Trustees to rescind these changes. At the Oct. meeting of the Faculty Senate, President Proenza was asked about the status of the resolution requesting rescission and he had asked Provost Stroble to address the issue. This week Secretary Kennedy received a memorandum

from Provost Stroble stating that the resolution had been forwarded to the Board of Trustees and that its response would be forthcoming. The Executive Committee of the Faculty Senate received a memorandum from Vice President Ray stating that the Board of Trustees declined the request from Faculty Senate and that a letter sent to AAUP President John Hebert gave the Board rationale (**Appendix A**).

This morning Chair Sheffer had received a letter (on which he had been copied) which had been sent by Mr. B. Robert Kreiser, Associate Secretary of the American Association of University Professors (**Appendix B**). This letter had been sent to President Proenza and Mrs. Patricia Graves, the Chairwoman of the Board of Trustees. The letter was lengthy and addressed the changes to the governance structure in the rules made by the Board of Trustees. AAUP recognized in the letter that all of the information which served as the basis for the letter had come exclusively from our faculty sources. Further, it invited the President and Chairwoman Graves to provide any additional information to the AAUP. Chair Sheffer then stated that he would make this letter available to all Senate members.

**IV. ANNOUNCEMENTS** - Chair Sheffer stated that the Senate was next to address the Fall 2003 commencement candidates. Mrs. Marilyn Quillin had the list with her. The Chair then called for a motion to approve the candidates. Senator Kahl made the motion which was seconded by Senator Stratton. No discussion forthcoming, the body then voted its approval of the Fall 2003 commencement candidates.

Chair Sheffer then continued with the announcements. He regretted having the sad duty to report a number of deaths from our University family. The first notice we received was that of Bernadette Marie Gaiser, who died on Oct. 28. For the past 12 years, Mrs. Gaiser had been employed as a residence hall administrator here at The University of Akron. Then we received notice that Dr. Marian Miller, an Assoc. Professor of Political Science, died Nov. 2 after a long illness. Dr. Miller joined the University in 1990, had earned a Ph.D. and an MA in international relations from the University of Southern California. Her research interests included environmental politics and the politics of development. Both of these areas were addressed in her book, The Third World in Global Environmental Politics, which received the International Studies Association's 1996 Sprout Award for its contribution to international environmental politics. Thirdly, there had just been a UA Email Digest reporting to the campus that Kevin Capers, the son of Dean Capers, passed away on Friday, Oct. 31. Chair Sheffer stated that he believed the services would be in Philadelphia and that more information was in the Digest announcement. Kevin Capers had been ill quite some time with cancer.

Chair Sheffer then called for Senators to rise and observe a moment of silence for these individuals.

## **V. REPORTS**

**EXECUTIVE COMMITTEE** - Secretary Kennedy began her report by stating that the Executive Committee had met on Oct. 16 and discussed the following: Chair Sheffer had brought to the committee's attention several items that had been discussed during the Ohio Faculty Council meeting including information related to STRS, State Issue 1, and Chancellor Chu's speech to the Governor's Commission on Higher Education and the Economy. As Senator Witt had this information for Senators available in his report, she would refer Senators to that for further detail. In regard to the

final report from the consultants about the communication audit that had been requested by President Proenza, the Executive Committee had requested of Mr. Paul Herold that a copy of that report be made available and should be so presented today. Other business items: As Chair Sheffer mentioned regarding the Faculty Senate resolutions, which is marked as Appendix A, the letter that was sent to Dr. Hebert as AAUP President was available for Senators to review.

In regard to the status of the several Senate business items, Senator Jan Yoder had asked President Proenza about the status of several pieces of Faculty Senate legislation and business. President Proenza had directed that to Provost Stroble, and Provost Stroble had responded. Secretary Kennedy stated that she would like to share that information with the Senate.

She then read from the Provost's letter, beginning with question 1: "Why was the budget that was adopted by the Board different from that recommended by the Faculty Senate?" ANSWER: "There appears to be one major difference between the two budgets. The Senate version favored reducing operating budgets of those units classified as administrative units by 10%, while not reducing the operating budgets of those units classified as academic units, while the Board approved reducing operating budgets for both categories by 5%. The primary reasons for that decision are: Some functions that affect students directly are classified as administrative; some functions that are critical to the operation of the institution are classified as administrative. Generalized distinctions may not be useful in decisions about budget reductions, and the so-called administrative units' operating budgets for a greater share of the end-of-year budget reduction in the past fiscal year."

Question 2: "Why is the employee contribution to health care no longer linked to a salary increase?" ANSWER: "Mr. Ray's memorandum of Oct. 3, 2003, explained the necessity for employee contributions to spouse and dependent health care coverage. Dr. Proenza has charged Mr. Ray and the Provost with trying to identify funds that create a mid-year raise pool. That process is underway; however, I (the Provost) cannot make any guarantees at this time. It is important to keep in mind that our state share of instruction funding has been cut by approximately 16.5 million since 2000. Obviously, if our state funding had been maintained, we would not be facing this challenge. I (the Provost) will try to keep us informed of that progress."

Question 3: "What has happened with the academic calendar that was passed as three 15-week sessions with a 4-week winter break?" ANSWER: "The academic calendar for the current year remains unchanged. I (the Provost) have been using a consultative process to reconsider the current arrangement in light of concerns from various departments about the lack of a break between spring and summer semesters and summer and fall. I (the Provost) have read background documents about this topic and will seek a workable solution that can gain broad support. Because the 2004 leap year provides a one-week break between the end of summer semester and the beginning of fall, the immediate concern is alleviated. I (the Provost) will continue to work with deans, chairs, and others to identify long-term solutions."

Question 4: "What happened to the Faculty Senate resolution calling for the reversal of the Board's Faculty Senate-related rule changes from the August 28 Board meeting?" ANSWER: "The resolution that was forwarded to Trustees in response from the Board to the Faculty Senate is forthcoming." Secretary Kennedy pointed out this had already been mentioned to Senators.

REMARKS OF THE PRESIDENT - Chair Sheffer then invited President Proenza to address the Senate.

"Good afternoon, colleagues. Let me share primarily some comments related to the communications audit. I'll begin by noting that last night we had a very special dinner with the education community, the annual educators' dinner, at which time we heard from a distinguished educator from Virginia. We also discovered what we're all learning, and that is that we're all having to do many more than just our jobs, and no one exemplified that better than your Provost, who is continuing to serve as dean of the college as well, but last night performed an exceptional version of 'Carnac the Magnificent.' We know you have a bright future, and it was a good program.

Secondly, before I begin my report on the items, I had the privilege of representing the University at the Council on Competitiveness Annual Meeting last week, which was one of the very best meetings of that Council that I've attended in the roughly 15-20 years that I've been associated with the Council.

We've begun two new initiatives and you'll hear more about those, but one of the things that I would invite you to take advantage of, if you're ever in Washington is the following: The evening began first with a reception and then a dinner and special presentation at the end of the dinner. It was held in the State Department's Diplomatic Reception Rooms, and you may say, what does that have to do with me? It has to do with the history of America, our country. I had not been aware that those rooms were available to view. Obviously, it was a privilege to be invited as a special group, but it's available for all of you to view, tours are conducted, and next time you're in Washington I would invite you to take advantage of that opportunity. The rooms are exceptional, but it includes such things as the desk at which Thomas Jefferson sat and wrote much of the work that he did, some pieces that belonged to Benjamin Franklin, etc., etc. Needless to say, in the few hours that I was there I did see enough to tell you that I felt privileged and am proud of our country and the fact that this heritage has been preserved for us to see. Clearly, it's a place that I want to go back and visit and would invite you to do the same.

Certainly colleagues, as we begin, you recall that over the past five years that I've been here we've certainly faced a number of challenges. Earlier this year I reflected on the fact that during this past year in particular we began to appreciate the diversity and variety of issues that are evident on our campus, not only in the fields of study of expertise and individual backgrounds, viewpoints, etc. Obviously, as a result of much of that and many other issues, we clearly know that we have to address our communication issues. As you know, I believe very much that many of the challenges have been characterized, if not caused by, an unacceptable level of communication breakdowns and mishaps that we have to do something about. Thus, during the past year I've begun a number of things which I've reported on with you including the structuring of a task force on decision making and recommending entities which is continuing to move forward and has now met at least twice, if not three times, and we look forward to their work and to their report.

Equally, I have come to see and I've reflected with you, that many things that would be in place in an institution that's 133 years old, much like Purdue University where I was, simply regrettably are not in place and we must address them. In the area of communication, I felt that we needed some external validation and some external third-party assessment, so as I reflected with you last spring,

we engaged the Cochran Group to conduct an internal communications audit. I've met with Mr. Cochran and his staff several times to discuss their preliminary findings and received their final report last Wednesday and am conveying it to you today. It's a 40-pg. report which includes some introductory notes and description of the methodology that was followed, a situation analysis, findings and recommendations, notes on implementation and accountability, and several appendices, including the consultants' biographies, the listing of meetings and interviews that we're conducting, and a brief summary of the survey results. You may recall that we had a survey on communication issues that was conducted, and by the way, I was very pleased that we had a good response rate on that.

As you will find, some of the findings will seem imminently obvious to us. However, some of these are now at least certainly objective and informed in their assessment by a group that is expert in these matters, together with a list of suggested steps to improve our communication situations. It was indeed a thorough undertaking that would have taken much longer if we had applied our own internal resources. Certainly there were some that we could have allocated here in terms of release time and so on, but it's nice to have without question an independent party reflect with us on these matters. Again, it also would've lacked the objectivity and insight of the highly qualified third party.

So with those caveats in mind, let me share a little bit about what this report says as a summary. You can read it at length, and what I am asking you to do is provide me your input. I'll share with you already that I've had a preliminary discussion with the Faculty Advisory Committee to the President, and they provided some very good input, as I'm sure you will have some to offer also.

There are a number of general findings and recommendations and I'll be very brief here. General finding no. 1: That there is an insufficient understanding throughout The University of Akron community that all members of the University share responsibility for ensuring that two-way communication exists and thrives throughout the campus.

The recommended actions are, that we create a communications protocol adviser as a role within our campus to review drafts, for example, of major policy documents and communications, and then identify the constituents whose input needs to be solicited before major announcements are released. Secondly, establish a formal process for closing the loop with all committees, task forces and study group participants, including communicating the rationale for decisions and recommendations in a much more formal way than perhaps we've been able to achieve to date.

Thirdly, establish a mechanism or model to inform the University community that major changes are under consideration so that you don't get as many surprises as even I, by the way, get. And lastly, that we urge all internal policy communications and meeting agendas to be included in a mechanism that specifically invites feedback. We've had some good success in creating some feedback mechanisms on the web, and we'll explore that as well as some others.

General finding no. 2: That a more disciplined and systematic approach to communication is needed, one that respects the existing chain of command (not to be hierarchial however), and uses existing channels for communicating within the University while ensuring broad levels of common understanding. One of the things I've heard over and over again is that sometimes when we try to

communicate, it stops somewhere in the middle. This is the issue of hierarchy, and we need to ensure that that doesn't happen.

Their recommended actions are the following: Provide training on a cascading communication technique for administrators, deans, directors, and department chairs. Secondly, develop specific guidelines for 2-way communication on campus including a process for employees and students to voice concerns that cannot be resolved at the department level, and that is inclusive of staff, students, and all constituents appropriate to the issues.

General finding no. 3: That campus-wide expectations for clear, consistent, aligned messages from administration simply must be met. Recommended actions: That we implement a disciplined cascading approach to the dissemination of key information throughout the University community including structured information-sharing meetings with summaries of key messages and central details to be communicated to the next level of the University community, and so forth.

General finding no. 4: That communication on The University of Akron campus will be enhanced if the purpose, method, and tone of internal communication are better aligned. Recommended actions are that we develop and distribute guidelines for effective email communication, for example. I don't have to tell you that sometimes we misinterpret an email or sometimes in the rush of things we're so quick that we fail to either type a word appropriately or we're so short in our approach that it's perceived as being brusque or incomplete or is misunderstood.

Secondly, that we expand the Email Digest and use simple graphic devices to make it easier to read and to find specific information, and either eliminate the Akron Update or produce it as a pdf file or incorporate it into the Email Digest. We now have several good examples of how we might employ this recommendation and make it work.

General finding no. 5: That The University of Akron website at the moment tries to be too many things to too many people, and therefore the recommended actions are first: To assign a person or department that has responsibility as the major content editor and integrator and facilitator so that it is more user friendly and comprehensive and has standards of excellence and so forth. Secondly, that we refocus the UA website to serve primarily an external communication function and redirect internal communication to a new and upgraded Intranet. Thirdly, that we create a mechanism to inform members of the University community of updates to the UA website and Intranet.

Those then are the principal communications. Again, you'll find considerably more detail in the material which will be shared with you momentarily. So the rationale question is, what is next? Obviously, we have begun with the Faculty Advisory Committee that was with me when we had some of the preliminary findings, and I described to them and Mr. Herold described to them the preliminary findings. We're continuing today by sharing it with the Senate and will continue in sharing it more widely throughout the campus over the next few days and weeks both in entirety and as a summary form of the findings and recommendations, and it will be in an email with a link to the pdf full report.

In terms of some preliminary feedback, much of which you can add to, the Faculty Advisory Committee recommended that we should offer communication training to key administrative

assistants across the campus in addition to the principal senior administration throughout, beginning at department chairs and moving on up. Secondly, that we identify best practices in cascading communication techniques from among our various colleges and departments and indeed from elsewhere. As I mentioned, at least in terms of some of the frameworks we're communicating, we have a couple of examples, but you may know that some of our departments or colleges are better than others and we can learn from ourselves. Thirdly, that we develop a frequently-asked-questions document to guide in problem solving and facilitate that kind of interchange in a quick way.

In short, what I will be seeking from you is everybody's best thinking. Some recommendations will be easy to implement immediately, while others will require a long-term approach, but I expect that we certainly should begin to see some change very soon. You should expect significant and visible actions on my part throughout this academic year, and we're seeing it in some of the brown bag lunches, in terms of some of the other receptions, and I'm going to spend a lot more time throughout the campus with faculty, staff, students, etc. We must realize that the long-term improvement will require everyone's efforts and cooperation. Again, I have hard copy of the report today, but if someone misses it, the pdf file is already posted on my website and you know where to find that ([www.uakron.edu/president/2003AuditReport.pdf](http://www.uakron.edu/president/2003AuditReport.pdf)).

Let me add one comment here and then just two other bits of information for you. First of all, although we are 133 years old, like my former institution Purdue, there are many things that I had taken for granted as being in place which regrettably I continue to find are not in place. I invite you certainly to advise me of things that I might not be observing, as you certainly clearly did during this year of those things, and be assured that I will do the due diligence to ensure that we address these issues. But without question, if it hasn't been in place in 133 years, the possibility of fixing it in a day or a week is not likely.

But as of yesterday, for example, we fixed a problem that had been lingering for a few weeks, but it finally came together in one meeting with all of the principals. All of the frustration simply led to my saying, 'Fix it by Monday,' and they fixed it in two hours. Sometimes it's as simple as just getting the right parties in the room rather than spending a lot of time in fruitless and unproductive anger and frustration. So let's try to be kind to each other and find the people it needs to take to address an issue.

Two final things - many of you saw the article in the Akron Beacon Journal early this week, 'University of Akron loses a grant yet again.' Is Katie here today? A typical Akron Beacon Journal ad, and I'd say it to her. Actually, the article was well stated; it was not unfair. But the headline was clearly negative, and the placement needn't be there because the article went on to say that we've continued to get encouragement and we are. I'm almost 100% sure that we will succeed the next time.

What the article did not reflect, and in the spirit of responsible journalism should have, is the fact that our University is already participating in several Third Frontier proposals that have been awarded. There are at least five that I've been able to find, including the most recent award on propulsion to Ohio State University, which our team led by Jack Braun, is a significant participant with that group. But there's another one on instrument controls and electronics that has been successful; another one with the National Composite Center, another with Ohio State for reliable,

redundant infrastructure, and from the Third Frontier Action Fund we're participating in three, one in collaboration with Western Datacom, another in collaboration with Advanced Energy Technology, and another in collaboration with Nortech.

So in short, don't believe everything you read, and expect more from your newspaper. I have written to the Beacon and indicated that while their article itself was fairly stated, it did not reflect the analysis in the broader context the other ways in which we're advancing the University's agenda in these areas. For example, the fact that we are making significant progress through capital funding that we obtained last year independent of higher education, and I could go on. Suffice it to say that I respectfully suggested to the paper that we would all be better served by continuing to advocate for the overarching strategies that we've begun and creating more positive than negative impressions in adding the added context that is redundant. Redundant because it needs to be heard, but also necessary because not enough people heard it.

Three accomplishments to share: Dr. Haridutt Ramcharran, Professor of Finance and International Business, won the Best Paper Award at the 2003 International Business & Economics Research Conference which was held most recently in Las Vegas. PR News Magazine named one of our own, David Ritchey, Professor of Communications, as its PR Professional of the Year in Education, one of only ten individuals highlighted in these awards and the only one in education. Professor Ritchey and the other honorees in the nine other classes have been profiled and will be so recognized at a forthcoming meeting.

Finally, here's my favorite of them all. As you know, our University of Akron Law School has had a very successful Trial Advocacy Team coached by Professor Bill Rickett, and typically we've been in the top 16 such teams and are automatically invited to the Trial Advocacy Final. Well, this year for the first time in a long time we were not in the top 16, but one of the teams couldn't go and hence they invited us, just invited us. As a result, our team captured first place, which is the first time they've captured a first place; they've been in second, third, fourth and fifth. But this time when they weren't formally invited in the top 16 they won first place. Congratulations, and thank you, ladies and gentlemen."

REMARKS OF THE PROVOST - Chair Sheffer then invited Provost Stroble to address the body.

"Good afternoon. I just drove back from Columbus and it's just as cool and rainy down there as it is here. I decided today in my remarks that I had to do something a bit different than I've done in the past two Faculty Senate meetings where I've spoken.

If you'll recall, at the first meeting I did a summary of that List of Ten and all the activities I had begun from June through September, all the people I've met with, the kind of schedule I'd kept, the process I'd begun to try to make progress on all the items on that List of Ten. Then at the last meeting I did a bit of an update about the activities related to two of the items on the List of Ten, how I was trying to meld ROI improvements and the quality measures activity into Balanced Scorecard. I think we decided at that meeting that we probably needed a special session to deal more with that, and while I've met with Drs. Sheffer and Kennedy, we haven't actually scheduled that meeting. So just know that that's on my list and I know that we need to do that.



I also have done a little follow-up since that last meeting, as you saw reflected in the charge that the President gave to me, to respond to your questions from the last meeting, which I did. I also have had a request from David Witt, as your representative to Ohio Faculty Council. He needs to make a report at a meeting next week regarding how collaborative The University of Akron is with other institutions of higher education, and my office has prepared that report and will give it to him, which is quite impressive, by the way. So we'll also be glad to share that with you. We did our best to get the informal tally because nobody's in charge on this campus of keeping the formal list of all the organizations of higher ed that we collaborate with on a variety of fronts. My guess is that the list is incomplete, and we would be glad to have any assistance in making this a more formal and complete report, but I think you'll see that even the incomplete version is impressive.

I was just at an IUC Provosts meeting today and they have requested this same information because they plan to share it with the Governor's Commission on Higher Education and the Economy to try to fight a perception that higher ed truly doesn't collaborate among its institutions. So I had submitted the same report to them and I got to see the draft report today with UA prominently featured in this report, which tells me that we did a good job giving them very thorough data and that other institutions may not have given them comparable data or others just may not be as collaborative as we are. But certainly as you look at the list and you see how often any particular institution is listed, we're prominently featured. So that's good news.

David Witt also needs from me reports about what our activity has been in recent years to either cancel programs or to suspend admissions to them because again, there's a perception across the state that higher ed does not do enough of its own activity to determine when programs no longer meet a need or the enrollments decline and there's no longer a need to have that program in favor of adding new programs. So I've assembled a report that we'll be able to give to David to report on that activity on The University of Akron. I haven't looked at that report in detail so I don't know what it says about us.

So on with today's report. Clearly, part of what these reports can do is to give me an opportunity to share a little bit with you about what the Office of the Provost is up to. But I also know because I've taught speech communication over the years, that these are also occasions for you to get to know who the Provost is a bit more. Because if you don't interact with me other than at these sessions, this is really my time to help you understand a little bit about who I am as a person and a professional and how that causes me to shape the activities of the Office of the Provost.

So my context for today's remarks I've titled, 'Reflections on T.S. Eliot and the List of Ten,' because the List of Ten is my mantra these days (**Appendix C**). It's caused me to reflect a little bit on this as a result of going to my third production of 'Cats' this Sunday. Three productions is probably plenty, but I've found that I've enjoyed it every single time I've gone and I reflected on it the same way when I've had the occasion to read the same piece of literature again or to see a movie more than once. It always causes me to pause and say yes, it's a repeat of the same piece of literature or the same event, but it's always a different experience for a variety of reasons, partly because I'm a different person coming to that reading or performance, and also the performance is always slightly different. So I'm reflecting on that a bit today as a context for some things that I think are the recurring themes I'm going to highlight as I work on that List of Ten.

The year 1984 I think was the first time I saw a production of 'Cats' and who I was then predominately was as a student of literature. I had taken a leave of absence from ten years of classroom teaching of english and drama and speech and history and had gone back to do a masters degree in literature, and by some fortuitous coincidence, when I got to see 'Cats,' I was also enrolled in a graduate seminar about T.S. Eliot. So that really caused me to look at the script of 'Cats' and that performance in a particular way. I also on the side was doing a lot of direction and production of community theatre, so I really saw myself as engaging with 'Cats' on a literary and a theatrical level.

In 1998 I saw another production and at that point my primary role was really being a faculty member, a teacher-educator. At that point I also was a mother of a daughter and I'd acquired a cat. So I saw 'Cats' in a very different way and began to think of it as an opportunity to teach my daughter some things that I thought were important to learn. I wanted her to be someone who enjoyed live theatre productions, and certainly she was the person who brought the cat into our lives. So I enjoyed that production and sharing it with her and the joy of how that production actually highlights the nature of cats.

Then I saw it this Sunday, and it's hard for me these days to have any identity that isn't overshadowed by identity of Provost. While I'm sitting in a 'Cats' production I'm thinking about how I can take the topics in Cats and use that as my framework for Faculty Senate this week. So I've got to tell you that the Office of Provost colors almost everything I do these days and that's why I've picked 'Cats.'

Here's what I think I really love about the production of 'Cats.' If you've seen this production, it showcases all the individual cats, so each cat gets a turn to shine - there's a song or there's a dance or there's a story, and that comes purely from T.S. Eliot's book. The script is so beautifully designed so that it's not just a lot of individual numbers but is all woven together and there's hardly any break in the action and the music just goes from one number to the other. The company of 'Cats,' which is what they call it and is a theatrical term, weave themselves in and out of the story through the entire production.

It's hard for me to see that show without thinking about how important it is when you're building a community among faculty, staff, students on a university campus to not try to pay attention to that. That it's necessary for each of us as individuals to feel like we have our moments to shine to be celebrated to express our individuality, but also to try to balance that with how we feel that we're part of a company that's designed to celebrate what we're about as an institution. That's not easy, but I think it's an important thing to pay attention to. I also liked the part of 'Cats' that I think the words and the actions are perfectly choreographed. They took T.S. Eliot's words and they did a perfect job of putting them to music and making the actions of the cats express what he wanted to say in his words.

Then the third part - when I was back in 1984 in the role of often directing and producing plays and sometimes musicals, I always loved the feeling of community among the actors, stagehands and all the people that were part of the production. I loved feeling a part of that community. But now I'm more often an audience, and I've discovered as I think back to these three different productions, that part of the joy of watching 'Cats' was feeling community with the audience of people who were

watching it.

So the first time I saw it, the community I was part of was my own immediate family. I got the tickets as a wedding anniversary gift from my parents, so my husband and I and my parents went to see it in Chicago, which is a very special memory for me. Then in 1998 thinking about my first time taking my daughter to the production and how fun that was, but this time seeing myself as part of the community of Akron and this community. Seeing that performance at EJ Thomas just reinforces that role of Provost for me as really one of the privileges of Provost, being that now I can go to these productions and enjoy it on a very individual level, but also knowing I'm going there as a representative of the University administration to say that this is important activity and I'm glad to be part of this larger community. It's fun to go to EJ Thomas and see so many people that I'm starting to know from across campus and from the larger community in these productions and feel a part of that community of audience.

So just to reflect on that a little bit, I want to give you some examples of where I'm trying very hard, and not always being successful, to connect the process of how you build a community and do the production and make all the company pieces come together and make that harmonize with the product you're trying to get to, which is what `Cats' does so beautifully.

We're just launching a process now where we will try to design what program review will look like on a campus-wide basis. I've asked Chand Midha, who is the Faculty Fellow assigned to the Office of the Provost, to lead a work group that will do that, and I know that one of the questions that's come in to both him and me is, will this program review be limited to academic programs? The answer is no. The whole idea is that we're using some models present at other institutions as well as in the literature to say how can we define program as larger than academic degree program, and to say that program can be any set of activities on this campus that's targeted for a particular purpose or a particular result.

I've asked Chand and a group of people that includes faculty, administrators and staff members to be a work group for me and to give to me what they think is a process that then we can implement and do the kind of thinking that we need to do about where resources should be allocated and where the strategic opportunities are. All the Provost's office has been about lately is how to endure cuts, and there's not much joy in that for you or for me. So what we've got to start thinking about is how we start doing the strategic kind of planning that helps us figure out where we're going to take advantage of opportunities and grow things and not always just be in this reactive cut mode. So I'm hoping that program review will get us to there.

Regarding the position allocations that were recently made to the colleges as well as to VP's and administrative units across campus, again I tried to be as strategic as I possibly could be in those allocations limited though they were, and I did not make them in an across-the-board, everybody gets a percentage of the pie kind of allocation, because I don't think that can be defended anymore. So again, I've tried to make that as collaborative as possible. Every single dean and VP gave to me their best scenarios for how productive they thought those vacant positions could be, not only in terms of student enrollment but grant revenue, life safety issues on this campus, accreditation, a number of variables that we think are important to make decisions about, and then they put them in priority order.

As I read those, I made my best decisions I could make given the available dollars I had back to units. Then as your deans or VP's are communicating with you about what positions are going to be funded, know that that's based purely on that individual's and that administrator's decision about how they allocate the dollars to those priorities. So it was a collaborative decision between me and the people I ask to report to me their priorities on how to make this happen.

Summer budget policies - I had hoped today to tell you how we're going to figure out what the instructional units will have available to them next summer for budget, but I think we're probably a day or two away from that. My goals will be that for summer 2004 I'm able to find some way to reward colleges that are very productive both in terms of enrollment and grant revenue. That I'll bring a greater measure of equity to some policies across units; that proportionally the summer budget support will go for instructional expenses, and that I will begin to create a very small pool of funds that we can use among the colleges to respond to strategic opportunities. So I've got some things on the table, and the budget office is making sure we can actually afford to do what I'm proposing to do, and I hope to have that out in the next day or two.

Finally, I want to tell you that as I tried to figure out how to allocate the funds that were going to be available, I had certainly hoped that I would have the kinds of funds that would make it possible for me to identify someone internally on campus as an additional associate provost for academic and financial affairs. I can, but I only have the money to do a half-time position, and I limited that position because it just seemed the responsible thing to do. We'll post the position very soon, and I'm hoping to recruit someone who either is currently a chair or has recent experience as a department chair, and is a full professor tenured in rank at this University.

I want this person to help me out with actually conducting the program reviews once my work group has told me what that should look like, and to also consult with me on a variety of issues that show the intersection between academic and financial, especially budget planning resource allocation, also assisting me with collective bargaining kinds of conversations. I wanted you to know that that will occur very soon, and I'm hoping to actually recruit someone to begin this position January 1. So those are examples of places where I'm trying to bring harmony to words and actions, trying to build communities among the actors and the audience, and showcasing individuals while celebrating the company."

UNIVERSITY WELL-BEING COMMITTEE – Senator Erickson began her report (**Appendix D**) by stating that the committee had met twice this month. The Board of Trustees had approved the addition to Well-Being of a representative of retired employees. That was Linda Sugarman, who was a Senator and was now a voting member of the committee. She then reminded Senators to get their health insurance materials to Desnay Lohrum by Wed., Nov. 18. Ms. Lohrum had informed the committee that the retiree dependents under 65 who chose traditional indemnity would pay the difference between the PPO and the TI which was what the committee had recommended back in April. As to other issues relating to insurance, there had been rumors relating health insurance premiums to the unexpected health cost increases in the August budget. As members of the committee knew, this rumor was incorrect and there was no direct linkage between these issues. As chair, she had sent an email to committee members on Oct. 22. Further, she had referred committee members to the April, Sept. and Oct. reports to the Senate. Finally, she had received yesterday

afternoon a memorandum from Vice President Ray in reply to the Well-Being report to the Senate last month. She had forwarded it to the committee and any comments from the committee on that reply would be in next month's report. Senator Erickson then referred to the sections of her report dealing with part-time faculty, staff, and contract professionals. She noted that the committee was planning to investigate the suggestion that part-time contract professionals receive vacation benefits on a pro rata basis. The committee had also been discussing the continuing problem of child care for employees and students, especially drop-off care. They were reconstituting the committee from last year to look at that issue especially as related to the possibilities of providing drop-off care at the new Recreation Center. Well-Being also had a subcommittee collecting information on sick leave banking. Senator Erickson then noted that the last item of business from the committee would come up under Old Business. These were the recommendations from the committee made at the May 2003 meeting and postponed until the Oct. Senate meeting.

Senator Steiner then stated he was curious about the last item that Senator Erickson had mentioned; her reference to domestic partner benefits. Why had that not been discussed at the Oct. Senate meeting as originally planned? Why were Senators only notified yesterday that it would be discussed today?

Senator Erickson then replied that essentially it was her fault that notification had not gone out earlier. She apologized. She also stated that Senators had had the materials since the May 2003 meeting.

President Proenza then wanted to add a piece of information. By the time all arrived back at their offices, there would be a message from his office indicating that in appreciation for all that everyone had done - but not to absolve the responsibility of Provost and Vice President of Finance to hopefully find us some money this year in the spring - we would offer in appreciation for all, two holidays during the Christmas break, December 26 and January 2.

Senator Goode then stated that, as President of the student body, he really liked this child care item. He would be willing to give the committee an endorsement on this. Senator Erickson then thanked Senator Goode for his remarks.

No further questions were directed to Senator Erickson in regards to the Well-Being committee report.

**GRADUATE COUNCIL - (Appendix E)**

**FACULTY RESEARCH COMMITTEE - (Appendix F, 2003 Fall Grants)**

**REPRESENTATIVE TO OHIO FACULTY COUNCIL - (Appendix G)**

**UNFINISHED BUSINESS** - Chair Sheffer then directed the body's attention to the unfinished business from last May's regular Senate meeting. Specifically, the recommendations from the Well-Being Committee regarding benefits for domestic partners at The University of Akron, which were now on the floor for discussion (**Appendix H**).

Chair Sheffer stated that there were six recommendations from the Well-Being Committee, and suggested we take them in order. If it was the Senate's desire, we could wait and vote on all six of them at once, or we could vote on them ad seriatim. Senator Erickson replied that the committee

would prefer the latter and offered a small amount of background on the recommendations. This set of recommendations regarding domestic partners had been brought by the committee several years ago after considerable discussion within the subcommittee. At that time one of the issues sent back to the committee was to have a clear definition of a domestic partner. That is, what was a domestic partner? This was based on materials that had come from a whole lot of definitions from elsewhere in regards to domestic partners.

Chair Sheffer then stated that the recommendation from the Well-Being Committee was that the Senate adopt the definition of domestic partner for the purpose of extending benefits to domestic partners and their families and to modify the relevant University rules. There was a list there of about 8 or 9 requirements. He then called for discussion of recommendation 1.

Senator Sugarman proposed an amendment to change "six" months to "twelve" months in the definition section which read: "Two individuals regardless of gender who have lived together for a period of 6 months." Senator Gerlach seconded the motion.

Chair Sheffer called for discussion of the amendment. Senator Sugarman responded, stating that 6 months was too short a time to define a relationship, and that 12 months would be more appropriate.

No further discussion forthcoming, Chair Sheffer called for a vote on the amendment. The Chair then ruled that the amendment passed. Discussion of the amended recommendation continued.

Senator Johanyak stated that there had been extensive discussion nationally about what constituted the definition of a domestic partner. The criteria listed here were very similar to what one would find at other organizations. But this criteria also could define two roommates who had made a commitment to live together for a period of time; for example, to complete some kind of a career goal. She was just concerned and in fact there was evidence nationally to suggest that criteria like these that were implemented for the use of a domestic partner's program might open the institution for potential abuse.

Senator Wilkinson then stated that he had sent out an email to illicit some opinion of faculty members and had received two that he thought were relevant. One said this: "As a person for whom this policy applies, reading the list of all the benefits available to married people makes one realize just how slanted things are against those of us who are ostensibly single but in fact are married in fact if not law. For me the health benefits are not the central thing; I simply want the University to recognize that my relationship with my partner deserves the same respect and consideration as those of married people. In particular, I should be able to take unpaid leave, etc."

Then the other opinion came from a professor of business law who said: "I have a bunch of legal concerns to address. Marriage, contrary to the assertions made by persons in favor of domestic partner status and the extension of legal benefits to persons achieving that status is a legal, sanctioned, licensed relationship. One doesn't become husband or wife based upon their subjective belief that they are the same as a husband and a wife. In order to be married, the state has a set of specific requirements and certain specific responsibilities and consequences as a result of being married. First, a license, and then a legally publicly recognized ceremony which establishes responsibilities and legal consequences of that marriage. Ohio and many other states no longer

recognize the old common law marriage where parties without the benefit of license or ceremony become married because the act is the same as husband and wife for valid reasons. Marriage is a legal relationship with consequences and responsibilities, as much if not more than, it is an emotional bond. One doesn't end a marriage by filing a notice. Where does that notice get filed? Is it a public record? Does it address all the legal concerns involved in a marriage? One ends a marriage by obtaining a divorce, dissolution or annulment, all of which are proceedings that address the legal ramifications that end a relationship and protecting the rights of parties to the marriage. These procedures also guarantee and protect the parties' rights to due process of law and result in a legally recognized status with legally enforceable rights and responsibilities, since we do not currently have a legally established domestic partner status. Without requiring the other same legal rights and responsibilities imposed on husbands and wives creates too many problems and questions that are not currently addressed. For example, can one of the domestic partners terminate the relationship without the consent of the other? If that occurs, does the divorced partner have COBRA rights? Or if the University recognizes the divorce, does the partner have the ARISA claim against the University? If both partners are required to agree to the divorce, what mechanisms are in place to ensure that both partners have in fact agreed and that the agreement is knowing and voluntary? There are some issues that the law addresses in a marriage that are unanswered by domestic partners." So this person's point was that this venue was premature.

Senator Erickson replied that what we were dealing with here was not the idea of having domestic partners versus marriage. This had to do with setting up a definition of a domestic partner for specific purposes. These were to recommend issues relating to sick leave, medical leave, and bereavement benefits. The committee had been asked to start with a definition. People had come to the committee after situations occurred in which some bereavement happened with a domestic partner and they were not allowed to take sick leave to go to the funeral of the domestic partner. That was what we were talking about here, the use of sick leave to do those kinds of things that would be allowed if it were in one's immediate family as defined by the University. We need to set up a policy that was not going to be taken advantage of; she did not think that ordinarily roommates share financial obligations in the sense of having checkbooks in common, buying houses together, or situations like that. The definition came from experience of other universities that had used this kind of thing already - Ohio State and Wright State had extended a wide variety of benefits to domestic partners. This was the same definition we first brought to the Senate and provided everybody with the appendices which had all those other definitions listed. She stated she would be happy to provide any with those materials if they so desired them again.

Senator Soucek then asked whether in Ohio same sex marriage was legal. Senator Goode replied that he knew that Vermont recognized civil unions. Senator Jeantet added that the city of Cleveland Heights yesterday voted precisely this kind of thing. So if it was going to be legal in Cleveland Heights, he supposed it was going to be legal in the state but did not know for sure.

Senator Kahl stated that he was not a lawyer but did teach with business law faculty and registration in Cleveland Heights was not the equivalent in any legal sense with a marriage in the state of Ohio.

Senator Erickson then replied that neither was this. Senator Kahl responded that it depended on how far one went with the benefit and what it cost and what legal entitlements it bound the University to.

Senator Rich replied that, in answer to the question, there was no same sex marriage in Ohio. There was no civil union recognized in Ohio, but there was nothing in this proposal that depended upon the existence of either of those legal institutions. This would be the University choosing to afford certain benefits to people in certain kinds of relationships which the University was defining here. That was all it did. He did not see any reason why this would encompass roommates in general; he did not think there was a risk of that. Could there be issues? Yes, of course there could be issues. With anything there was the possibility of issues. He did not see any reason to think that this was going to present any more or greater issues than lots of things we did and accepted commonly. This was just a simple proposal to extend some benefits to people in recognition of the fact that they had relationships that were very central to their lives.

Senator Steiner then had a question in regard to some of the points listed in the definition of domestic partners. Number 1 required that it was an exclusive personal relationship between two people. Did that require that for those of us who were married, if we cheated on our spouses we might lose our benefits because that no longer would be exclusive? It also said that they must live together for a period of 6 months that now had been extended to 12. Research that was recently published in the Netherlands this year said that the average length of a relationship among homosexual men was 1.5 years, and that also the average number of partners they had outside of their primary relationship was 8. He also did not see how most if not all of the items here could possibly be enforceable. Who was going to check to see that an individual who filed for domestic partnership was exclusive in the relationship with their partner and that they had lived together for the prescribed length of time? And how was responsible for one another's welfare going to be defined? Who was going to check that whatever definition we applied was being adhered to? The fact that there was no legal basis in the state for what we were looking at was going to make it extremely difficult if not impossible to report fairly.

Senator Kahl then directed a question to Senator Hebert as related to his role as president of AAUP. As this was a benefit, should it now be exclusively a bargaining issue of the union?

Senator Hebert replied that this was not. The recommendations would apply not only to faculty but to the staff and everybody else; this was an example of how the union did not bargain for the entire University. The union did bargain for the faculty who were members of the bargaining unit, but this resolution would apply to the whole University community which included considerably more people than the bargaining unit.

Senator Sterns then offered some clarification. If he remembered correctly when we discussed this earlier, we basically were paralleling the recommendations of the Ohio Faculty Council. What he would like Senator Erickson to emphasize was that the definitions and so forth were basically in conformity with their recommendations which were adopted two years ago. He then added that it seemed that what we were asking for here was a fair and equitable workplace situation that would apply to certain of us that did not have a legal thing to stand on.

Senator John then had a question regarding the last page of the recommendations covering documentation of domestic partnership. Where would that fall into the six resolutions the body was dealing with, and where should he speak to this? Senator Erickson replied that she thought it would apply to no. 1.



Senator Norfolk then stated that, in light of Dr. Steiner's comments and a family he was aware of on campus, he would actually recommend that the body delete the exclusive part, that whole categorization. He made the motion to amend the recommendation by deleting the first criteria, "Are in an exclusive personal relationship with each other." However, there was no second to the motion. Discussion continued.

Senator Johanyak stated that these criteria had been debated by other organizations, and organizations had actually been sued because the parent company tried to enforce some of these criteria by collecting documents, which was then claimed to be unfair to married people who did not have to provide the same documentation. So whether those suits held up in court or not, that could mean extended litigation expenses for the University if these criteria were in fact challenged.

Senator Stratton stated that, assuming we were speaking to the documentation on the back under resolution 1, the last bullet point had at least a typographical error in it. It currently read, "The employee having given written authority to the partner to make decisions concerning the employee's health and well-being in the event that the employee's ability to do so." He thought it should be "inability" to do so or else it made no sense to him. Chair Sheffer replied that we would address that point when the body got to it.

Senator Erickson offered a point of clarification. The sample affidavit was written for all faculty and staff; that was, it applied to both kinds of situations.

Senator Kahl asked whether this applied to polygamous relationships and slanderous relationships, and if not, why not?

Senator Gerlach then stated that he thought it would. He wanted to tell all now why he thought we were going about this entirely the wrong way, as we seemed to presume that we could as a legislative body on the basis of legal and state levels. He thought it had been said that Ohio law did not recognize anything like domestic partners. The rationale that we had been given here said that certain other state universities and other organizations were known to be doing this sort of thing, creating domestic partnerships and granting benefits and so on. He thought they were acting ultravires. Call it what you would, he was perhaps out of touch and old-fashioned, but he listened to a different drummer and he found this whole idea morally offensive. He referred for example to the language at the beginning, "Two individuals regardless of gender." His religion and his personal belief and ethics and morality did not allow him to favor such things. He thought it was wrong and he thought it was wrong for many in their conscience. He could only say that this was the explanation for why he would vote against every one of these items. He hoped the Senate would leave this alone. Perhaps we ought to move to postpone this whole thing indefinitely. Finally, if the Senate was so reckless as to go forward and adopt any or all of these things, he could finally hope that the administration and the Board of Trustees would give a resounding "No" to it, just what it deserved.

Secretary Kennedy then stated that she supported the recognition of domestic partnerships. She believed that, in a university, tolerance was one of our key strengths. She was questioning some of

the listed required documentation regarding what one would have to produce to prove a domestic partnership existed, because she was once in a marriage where none of those had applied to her. Be that as it may, perhaps we should rethink those, but, in terms of saying that this was not something we as a university community should consider, that was wrong.

Senator Londraville then spoke in favor of the idea of extending benefits. In his eight years here he had sat on six search committees. Even though we worked at a great university it could be difficult to attract people to The University of Akron. This might be another indication of forward thinking at The University of Akron that might make us more attractive.

Senator Wilkinson then began to read another email he had received from a constituent, along the lines of who was a domestic partner. The email said: "I don't see why we need to do this for cohabitation of domestic partners. Why not provide it for adult siblings who are living with us too, or parents, or any number of other people who are not dependents but share our homes? I have a committed relationship to the welfare of my sisters who I live with. Some of them are uninsured; should I expect help for them too?" He thought what we were dealing with here was a highly charged moral and political issue. We could not pretend it was just an added benefit. It was a huge controversy that was going to be sweeping the political landscape in the next five years, and he thought we should just hold off.

Senator John then added that, on that same line, he had received an email from a fellow faculty member which said, "I have an elderly mother for whom I'm the sole caretaker. We live together, just the two of us. We have joint bank accounts, own property together, share expenses, etc. I'd love to be able to include her in my insurance. I'm not sure she'd be much interested in the tuition waiver, but she certainly deserves as much as any relationship with some domestic partner and all his or her kids that I might someday develop after some brief 6-month relationship. So until we can include those others who live with us and share all the same listed qualifications as a domestic partner except that they're related to us, I'm against changing the current coverage which will indeed cost me more money in one way or another."

Senator Erickson then added that we were talking about benefits that applied to dependents of the kind mentioned here. If it was a mother, you got sick leave if that person was sick. You could include your specific dependents in your health care, which by the way Senators would notice that the committee was not in any form at this point recommending health care benefits. Recommendation VI was that the committee be charged to look at it but no more than that. The discussion here was adding to the people among the immediate family as listed at length in the University rules.

Senator Johanyak then added that some universities had chosen to adopt that program but others had not. The University of Pittsburgh for example decided not to adopt it. They considered it too cost prohibitive and also questionable in terms of discrimination matters. They also knew that the Pennsylvania House of Representatives actually passed a bill to stop commonwealth funding to state related universities that provided health insurance benefits to unmarried domestic partners. Now she did not know whether that bill had become law, but that reflected the Pennsylvania legislature. In addition to that, the University of Pittsburgh was concerned that its primary insurer which was Highmark Blue Cross/Blue Shield was about to add a 2% increase to the institution's base premium

for domestic partner coverage which would have cost them about \$308,000. The University also would have had to pay an additional \$750,000 for every 10% of its more than 3,000 employees who chose to receive benefits for domestic partners. So the University of Pittsburgh chose not to take part in the domestic partners benefits program. Northwestern University also encouraged its domestic partners advocates to seek health care reform at the national level so that they would not seek favored status at the university, because the data was still relatively early and was unreliable and not available yet, and the campus had had an uncertain economic climate. Finally, the Exxon Mobil Co. tried the domestic partners benefits program for several years and ended it when it became too problematic. Perot Industries, Inc. also chose to end the program because they felt it was problematic. Finally, the National Gay and Lesbian Task Force, who were a key agent in promoting benefits for domestic partners, discontinued its previous support after several years of their employees' domestic partners due to the fact that these additional benefits were called "prohibitively expensive." They actually reduced their benefits to 50% coverage on domestic partners and that continued to be a financial burden for that organization.

Senator Kreidler then stated that from the committee itself the body was hearing that this was not a vote about health care coverage. It was a vote to say we would look at it, that we would like for domestic partners to have leave for situations in the family, etc. This was not saying that we were voting totally for everything right now. We were taking it on human dignity and saying we voted for people in our community to get the same package as far as time off, etc.

Senator Gerlach then, in lieu of what Senator Wilkinson and Senator Johanyak had said and that he thought a number of subjects had been raised that this committee ought to consider in those conversations, moved that these recommendations be recommitted to the Well-Being Committee for further deliberation. Senator Hebert then seconded this motion.

Secretary Kennedy stated that one point that had been made was that this was morally wrong. Was that to be debated by the committee? Senator Gerlach replied that it might be considered by them.

Senator Kahl then asked, since we were talking about human dignity and morals, why were we including some people who were under law not allowed to marry in the state of Ohio, and excluding others who were not allowed under law to marry in the state of Ohio? Why not a polygamous relationship, brother and sister, whatever? Why were we ruling some in and some out if we were talking about human dignity and morals?

Senator Broadway then spoke against the motion. He thought it was very important that we looked at the history of humans and the history of the United States. At this point he would identify himself as an African American who had the right granted to him to vote, but at one time it was never a privilege for him. He very much feared that people could take away that right he had to vote as quickly as they had given him that right to vote. He thought we needed to think very clearly about how we wanted to move as a community and who we wanted to include in that community and who we wanted to exclude. We could not do everything perfectly. He thought it was surprising that the President mentioned the desk of our dear third president, Thomas Jefferson. He thought Thomas Jefferson in the positive moments had tried to move this country forward in a very small step. We had the opportunity now as Faculty Senate to move the community in some direction, and that was going to be a very small step in the hope that over time we would be as inclusive as we could, rather

than exclusive.

Senator Stratton, speaking to the motion to return the recommendations to the committee, then read from Senator Ray's memo: "The sole purpose of these initial rule changes is to confirm the University decision-making process on matters which are either permissive or mandatory collective bargaining subjects to the single process authorized by law, i.e., collective bargaining. It is clear that these kinds of items are clearly permissive items if not required items under collective bargaining law, and even though they would apply to the entire University, the faculty collective bargaining representative clearly has rights with respect to faculty on these rights." He would simply caution that if we as a body recommended it to the entire organization, the collective bargaining unit for faculty might have to give up other things in order to allow that to happen. He was not sure that that was as high on the priority list as other things the faculty would like to have considered.

Senator Rich then added that he saw little to be gained by recommitting this to the committee. The proposal had been very well thought out over a long period of time. Obviously, people could quarrel with this or that aspect of it, but much of what we were hearing was fundamental opposition to the proposal itself. It was probably a good idea if this body did not recommit and ultimately made a decision about whether this was a proposal it wished to embrace and to send on. He was speaking against the motion to recommit.

Senator Sterns then added that he certainly would want to respect individual belief systems and morality, which were individual choices. As a professional licensed psychologist, he was committed to a code of ethics which required him to be fully accepting of alternative lifestyles. These individuals had the right to make individual choices and individual decisions. However, he would point out that some of us professionally, by virtue of being part of certain professions, had taken on additional obligations in terms of what were acceptable behaviors. He wanted to rise to say that even though he might have personal beliefs that were different, professionally he had to take a particular stance. It was very important that we understood this was an HR discussion; it was not a discussion of morality. Obviously, any decision could have moral consequences if any of us had professional obligations that were separate from our personal belief systems or religiosity.

Senator Soucek then made a motion to call the question. This was seconded by Senator Belisle. The motion to call the question was approved by the body. Chair Sheffer called for a vote on the motion to refer the recommendations back to the Well-Being committee. After the vote, the Chair ruled that the motion to recommit failed. Chair Sheffer then called for further discussion of recommendation I.

Senator Norfolk stated that we were trying to kill a fly with a shotgun. There was a very carefully thought out, very nice proposal where we were trying to expand in some perspective the issue that was presented. Every argument he had heard in favor of this issue was about conversion of sick leave. Why not have a policy on conversion of sick leave without regard to gender, domestic arrangements, checkbooks, anything else - have a clear and reasoned policy on how one could convert sick leave for one's own use?

No further discussion forthcoming, Chair Sheffer then called for a vote on recommendation 1 as amended. The Senate approved amended recommendation 1 with a vote of 25 for, 13 against. Chair Sheffer then directed the body's attention to recommendation 2. Recommendation 2 concerned

Well-Being's recommendation that the Faculty Senate encourage the University's Office of Benefits Administration to begin using the affidavit which appeared at the end of this document. This affidavit was to be completed as part of the personnel file for each employee's benefits file and would also be used whenever an employee wanted to change or add a person's coverage. He called for discussion.

Senator Johanyak asked whether this meant that married people needed to submit their marriage certificates now, and we would all need to sign affidavits? Chair Sheffer indicated that that was correct.

Senator Stratton stated that this was where he would make the comment on the typo. He would ask the committee to comment on whether that last bullet had a typographical error in it. Senator Erickson stated that, yes, it was a typo. Senator Stratton then moved to amend the affidavit to correct that typographical error. This was seconded by Senator Jeantet. The body approved the motion to correct this error.

Senator Stratton then made a second motion which was, on the last page under the definition, to move that 6 months be changed to 12 months. Senator Norfolk seconded this motion. The body approved it.

Senator John then asked for clarification. There was a footnote 1 that referred to the definition of a domestic partner. Now where did footnote 2 fit in for documentation? Senator Stratton supplied the clarification that it was on the second page of the affidavit, item no. 2.

Chair Sheffer then called for a vote on recommendation 2. The body approved this recommendation with a vote of 24 for, 14 against, and 4 abstentions. Chair Sheffer then stated that it had been brought to his attention as a point of order that, when the body had voted on recommendation 1, he had failed to call for abstentions. He did so at this point; there were 2 abstentions to the vote on recommendation 1. The vote on recommendation 1 then was 25 for, 13 against and 2 abstentions.

Chair Sheffer now directed the body's attention to recommendation 3, sick leave, medical leave and bereavement benefits. This was to add the words "domestic partner, siblings of domestic partner, children of domestic partner, and parents of domestic partner" to the existing wording under 3359-11-01(a) and 3359-26-04, and on part 2 to add the words "domestic partner" following serious health condition of child, spouse, domestic partner or parent. Was there discussion?

Senator Matney asked whether the Well-Being Committee could estimate in some way the cost to the University of making this change. Senator Erickson replied that this was difficult to do. Unlike health care benefits, what we were talking about here was how many times people take employees' sick leave for illness, injury, bereavement. She was not sure how much of our sick leave was due to that, but she doubted that very much of the total sick leave at the University was due to those reasons. Perhaps maybe 1% - the number of people who actually sign up for benefits, but certainly less than 10% of employees signed up for this domestic partner. She thought we were talking here a very small number of days when we discussed it in the committee. The committee felt that it did not seem to be a major number of days because again, it was only in those situations where people were asking for sick leave.

Senator Steiner then asked whether there was a quorum. Chair Sheffer replied yes; we had more than 30 members present. He then called for a vote on recommendation 3. The body also approved this recommendation with a vote of 24 for, 9 against, and 3 abstentions. Chair Sheffer then directed attention to recommendation no. 4. Recommendation 4 dealt with the issue of providing moving expenses for new faculty by adding the words domestic partner in the description of the authorized payment of the cost for moving of household goods for new appointees, spouse, domestic partner, and any dependent children. He then called for discussion of this recommendation.

Senator Soucek stated that he believed this would cost money. Senator Fenwick replied that he did not think it would; we were already doing it, in fact. Senator Londrville added that he did not think this was a University policy; it was handled department-by-department for each hire to determine how much a person got for moving expenses. However, Chair Sheffer replied that what we were asking was that the University rule be modified in how it was dealt with in the departments. It was part of the University rules, and the University might authorize payment. Senator Londrville then replied that, his point was, it was not going to cost any money? Chair Sheffer indicated that that was correct.

Senator Kahl asked whether the committee had made any effort to figure out how much any of this might cost. Senator Erickson replied that it had; however, it was only on a departmental authorization what might or might not be paid. The committee did not think it would add significant costs.

Senator Soucek stated that he did not believe that it would not cost money.

Senator Fenwick stated that it was his understanding that, at least in his department, there were certain questions about hiring a faculty that we were not permitted to ask - marital status, family situation. What you did was to move households.

No further discussion forthcoming, Chair Sheffer called for a vote on recommendation 4. The body approved the recommendation with a vote of 24 for, 11 against, and 4 abstentions. The Chair then directed the body's attention to recommendation 5. This recommendation dealt with extending tuition fee reduction benefits to domestic partners by approving the following four changes to the University rules: The first was to revise the policy regarding tuition fee reduction for families of full-time faculty and administrative officers. In that section we were adding the words "domestic partners" in three places. He called for discussion of the recommendation.

Senator Norfolk began by stating that this was going to cost money. He could not see possibly how this could not be an issue for collective bargaining. This had to be; it was one of the conditions of employment. He believed that we were not within our rights nor was it within our purview to even discuss this.

Senator Rich stated that he believed Senator Norfolk was wrong. He thought we ought to be very careful; we were being told by the administration that we may barely even think, much less discuss, anything that was potentially a subject of collective bargaining. That was legal nonsense and it just was not right. Now he did not doubt that the Board of Trustees' position on this would be that they

were not going to adopt it just because we recommended it. It might well in fact end up being the subject of collective bargaining. The point was that this body would have gone on record one way or the other, presumably in favor, judging by the previous votes, and that would speak for this body, which represented not only members of the collective bargaining unit but also people who were not members of the collective bargaining unit - some faculty and contract professionals as well.

Senator Sugarman added that she thought the body had been in favor of everything up to this point. Number 3 was humane and would have minimal cost; no. 4 relating to moving expenses probably would have no cost, but she would have to speak against this tuition fee reduction benefit. We did not know what the cost would be and it could have extensive cost, so she would not support this at this point.

Senator Wilkinson stated that he had another email which he was obligated to share, and Chair Sheffer asked that he paraphrase it. Senator Wilkinson stated that the email said the general consensus in their office was to go ahead for benefits, insurance and pension, but there was a deep concern regarding the tuition reimbursement portion. The concern was that a partnership might take place in order to get the tuition. His constituents had asked that he share this concern at the Faculty Senate.

Senator Sterns stated he thought a logical extension here was that this was something that was extended to every other individual according to the rules, for your wife, your children, so this was just extending this in the same way. Why would we give differential treatment?

Senator Stratton then had a question. In point no. 7 it extended the benefits not only to the domestic partner but also to the natural and adopted children of domestic partners. He was wondering whether that was an extension beyond what was even allowed with married couples.

Senator Erickson replied that that is what it was before, because it said unmarried and dependent children included natural, adopted, and step-children for whom the full-time employee or surviving spouse provided more than 50% support.

Senator Stratton stated his point was, if his legal spouse had adopted children that he had not adopted, and he was the employee, then were his wife's adopted children covered under his benefits?

Senator Erickson stated that if they provided more than 50% of the support. We were just doing the same thing for domestic partners; support had to be for more than 50%.

Senator Kahl then asked what the committee's estimate of the cost was for this one.

Senator Erickson replied that the committee had not come up with a specific amount for the cost because we had not gotten all the costs from the University for the present ones. So therefore, the committee did not have a detailed cost estimate.

Secretary Kennedy then stated that, rather than seeing this die on the floor, perhaps we ought to send this back to the committee to estimate the cost. She then made the motion to refer this

recommendation back to the committee. Senator Sterns seconded the motion. Chair Sheffer then called for discussion of the motion to refer recommendation 5 back to the Well-Being committee to investigate matters of cost.

Senator Stachowiak stated that the cost was theoretical because you were going to be paying the fee reduction. You still paid your staff fees and University fees and subvention. That class was going to go whether or not you put somebody in that classroom or not, so it was a theoretical cost because the University was still operating that class.

Senator Broadway stated that he was speaking on the motion to refer. He thought Senator Erickson's comment on the fact that the University had not been able to produce numbers for the current policy spoke volumes. If they could not produce numbers for the current policy, then how could we ever expect them to extrapolate into something unknown? He thought it true that the University could not do that.

Senator Jorgensen asked that, if referred back, the Well-Being Committee determine what the increase might be to departments for dependents' costs for fee remission. She was charged in her department for her secretary and her secretary's daughter's tuition cost, which right now amounted to \$5,000 for this semester. Again, she asked the committee to check that out.

Senator Kahl added that there were ways of estimating the costs fairly accurately on things like this that could be done by survey, by checking with departments, if that was in fact accurate. There were a lot of ways of estimating the cost on this. If you were estimating the cost, he would like the committee to come back with a recommendation for how to pay for that. Did we raise tuition for the other students, or did we do something else?

Chair Sheffer called for further discussion of the motion to refer. None forthcoming, he called for a vote. The body approved the motion to refer with a vote of 17 for, 16 against, and zero abstentions. Chair Sheffer stated that the recommendation was referred back to the Well-Being Committee and asked that committee to inform the Senate when they were ready to bring this back.

He then directed the body's attention to recommendation 6 which dealt with expansion of insurance coverage. The Well-Being Committee's recommendation was that the Faculty Senate charge the committee with identifying effective means for extending group health insurance for domestic partners and with reporting this information to the Faculty Senate no later than December 1, 2003. The Chair called for discussion of the motion.

Senator John stated the last point was especially valid. Did the committee think it could meet the December 1, 2003 deadline? Senator Erickson replied that they did not, so Chair Sheffer stated that the body would strike that phrase. He called for discussion of recommendation 6. None forthcoming, the Chair called for a vote. The body approved the recommendation with a vote of 24 for, 10 against, and 1 abstention.

As there was no further business nor anything proposed for the good of the order, the Chair called for a motion to adjourn. This was so moved and seconded. The meeting adjourned at 5:12 p.m.

**Transcript prepared by Marilyn Quillin**