MINUTES OF THE FACULTY SENATE MEETING OF SEPTEMBER 4, 2003

The regular meeting of the Faculty Senate was held on Thursday, September 4, 2003, in Room 201 of the Buckingham Center for Continuing Education. Chair Dan Sheffer called the meeting to order at 3:00 p.m.

Fifty-three of the sixty-five Faculty Senators were in attendance. Senators Belisle, Carri, Clark, Matney, Pelz, and Stachowiak were absent with notice. Senators Braun, Conrad, Svehla, and W.Yoder were absent without notice.

SENATE ACTIONS

*** UNANIMOUSLY APPROVED EXECUTIVE COMMITTEE RESOLUTIONS PROTESTING BOT RULE CHANGES OF AUGUST 20, 2003.**

*** APPROVED PBC RESOLUTIONS REGARDING THE LAPTOP PROGRAM AND HEALTH CARE CONTRIBUTIONS.**

*** APPROVED RESOLUTION THANKING PBC AND CO-CHAIR SENATOR FENWICK FOR ITS GOOD WORK.**

*** APPROVED RESOLUTION THANKING CFPC AND CHAIR SENATOR STERNS FOR ITS GOOD WORK.**

I. APPROVAL OF THE AGENDA - Chair Sheffer stated that he had several changes to the agenda to note. First, that the remarks of the President would come directly after the special announcements and before the elections. Secondly, the remarks of the Provost would come directly after the report from the Executive Committee. With those changes, the Chair then called for a motion to approve the agenda as amended. The body voted its approval of the amended agenda.

II. APPROVAL OF THE MINUTES - The Chair then directed attention to the Minutes of May 1, 2003. With no corrections forthcoming, Chair Sheffer called for a motion to approve the minutes. This motion was made and seconded. The body then voted its approval of the minutes.

III. REMARKS OF THE CHAIR - Chair Sheffer began his remarks by welcoming Senators and guests alike to the first Senate meeting of the 2003-2004 academic year. He knew that everyone was quite busy this summer with research and teaching and, for perhaps more than just a few of us, a lot of meetings. He hoped that everyone had had some chance to get a bit of rest and relaxation. This had been a very busy summer, and he wanted to personally acknowledge the work of the Planning & Budgeting Committee. They had continued to meet regularly through the summer to discuss budget changes of which Senators would be apprised later in this meeting. They had continued to deal with the ROI formula and its components as well as issues centering on the quality measures.

The Executive Committee met on numerous occasions for both routine business and items to be considered in need of urgent consideration. The Executive Committee had tried with some degree of success to keep all of the Senators and faculty on the campus aware of many of these matters that had come to our attention. As all were aware, at the August 20th Board of Trustees meeting there were

significant changes introduced and made to a number of the University rules. Changes were made to the Faculty Senate Bylaws, which included changes in membership of the Senate, the elimination of several key committees as well as many of the functions of other committees. To Chair Sheffer personally, the most disturbing part of this process was the total lack of consultation and the total lack of informing the Senate prior to that August 20th meeting. The revisions were passed at that meeting as part of new business and would go into effect on September 30 of this year. Upon learning of the changes, the Chair had met immediately with Vice President Mallo in order to receive some explanation of the changes. Chair Sheffer stated that the information he had received had been sent to Senators directly **(Appendix A)**. He had received clarification on membership of department chairs who currently held seats in the Senate. They would be grandfathered until their terms were completed. All he hoped had received the emailed copies of the revised rules shortly after that Board meeting. He had asked President Proenza to address this issue as well as questions the Chair had raised earlier this week during the President=s remarks this afternoon.

IV. ANNOUNCEMENTS B Chair Sheffer stated that he wished to introduce the new Senators. He asked each to stand as his/her name was called to be recognized by the body. From Arts & Sciences, Richard Stratton, Wolfgang Pelz, Robert Jeantet, Richard Londraville, and Loren Siebert. From the College of Education, Sajit Zachariah. From the students, the ASG President David Goode. From contract professionals, Anne Jorgensen. Fine & Applied Arts, James Lenavitt, and James Slowiak. From part-time faculty, Judy Hanna, and Lynn Luoma. From the School of Law, Bill Rich. From SEAC, Sarah Kelly, and Bob Stachowiak. All of the new Senators were welcomed with a warm round of applause.

Chair Sheffer continued by noting the passing of several members of the University community which had occurred over the summer. On July 21 we learned that Dr. Norman P. Auburn, President Emeritus of The University of Akron and President from 1951 through 1971, died. As the University's tenth president, Dr. Auburn directed the institution's transformation from a municipal university with 3,500 students to a comprehensive state-supported university with an enrollment of more than 18,000. Because of these significant changes that he engineered here at the university, Dr. Auburn is regarded as one of the three founders of the University, and in a fitting tribute the University's Science and Engineering Center is named in his honor. During his 20-year tenure as president at The University of Akron, there are several accomplishments I would like to acknowledge - the establishment of the University's School of Law, College of Business Administration, College of Fine & Applied Arts, College of Nursing, Community & Technical College by increasing its academic offerings dramatically. During that time there was the creation of the Institute of Rubber Research which evolved into the nationally ranked College of Polymer Science & Polymer Engineering. During that time the University granted its first doctoral degree. Dr Auburn oversaw the physical transformation of The University of Akron campus, including the construction of Memorial Hall, Kolbe Hall, and the University's first modern residence halls that had been built in the early 1900's, as well as the nation's first university-sponsored urban renewal project which created the Lee R. Jackson field. He led the initiative to create the University's branch campus, Wayne College in Orrville, and he directed and conducted the University's first major fundraising campaign which helped finance the building of EJ Thomas Performing Arts Hall.

Secondly, we learned of the death of Caroline J. Pardee, who served as secretary and administrative assistants to university presidents Auburn and Guzzetta from 1953-1981. She graduated from The University of Akron in 1932 and later pursued graduate studies at the Radcliffe College. As a long-time University of Akron benefactor, Miss Pardee's generosity was wide-ranging, supporting the Law School, women's athletics, and the Steel Drum Band. Several of her major donations were the Judge W.E. Pardee Moot Courtroom in the Law school and the Pardee Lobby in the EJ Thomas Performing

Arts Hall.

At this time, Chair Sheffer asked the body to rise for a moment of silence.

Chair Sheffer then invited President Proenza to address the Senate.

V. REPORTS

REMARKS OF THE PRESIDENT

"Thank you, Mr. Chairman, and thank you, colleagues, for accommodating my schedule today. Let me add a note of thanks to the chairman for mentioning these two colleagues. There's one other colleague that I should recognize, and that is Professor William Becker of our Law School who passed during the summer, and we should recognize him and would ask that that be reflected in the minutes.

Let me also extend a most cordial welcome to all of you as we begin this new academic year, and as it is perhaps tempting to say welcome back, I do want to note that I know that many of you have continued to be very active on our campus during the summer and I deeply appreciate the contributions you've made to our continued activities during this time. Let me also extend a welcome to the new Senators; I look forward to working with you, and in the spirit of welcoming colleagues, let me just ask Provost Stroble to briefly introduce Dean George Haritos."

Provost Stroble stated that she had become aware that Dean Haritos had not been formally introduced to the members of the Faculty Senate. It was, therefore, appropriate for her to welcome him today. Dean Haritos had been hard at work trying to learn what The University of Akron was about, what the College of Engineering was about, and in providing leadership for a very strong faculty, staff, and set of students. She was glad to have him as one of her colleagues as a dean and to introduce him to the Senate. The Senate then welcomed Dean Haritos with a warm round of applause.

President Proenza then continued with his remarks.

"As we begin this new academic year, all of us know that we face a number of challenges and more than a few big questions. These range from things in the state to obviously things that are within our campus community to address. Some of the more prominent topics of discussion, as your chairman has reflected with you and as he shared with me, certainly are in regard to our progress in implementing collective bargaining for the full-time faculty. So let me take this opportunity to share a brief progress report with the caveat that any questions regarding this issue I would ask that you direct to Vice President Ray or the Office of General Counsel for reasons that should become apparent in just a few moments.

Last spring, as you know, the faculty's selection of AAUP as its exclusive bargaining agent sent these series of actions into motion. On April 1, for example, our Board of Trustees appointed a subcommittee on collective bargaining chaired by Trustee Mr. Philip Kaufmann. In turn and with my concurrence the Board asked Vice President Ray to lead the negotiating team, and he is here today. On April 16 the University retained outside counsel as directed by the Attorney General of Ohio for the purposes of collective bargaining. In the succeeding time and after review of the applicable law as interpreted by those charged by the Board of Trustees with the responsibility for overseeing the University collective bargaining process, the Board enacted several rule changes at its August 28th meeting, as your chairman has just reported and as you are aware.

Much as many would have you think otherwise, let me make one thing perfectly clear - the intent of those rule changes is to conform the University's decision-making process on permissive or on mandatory subjects of collective bargaining to the sole process authorized by law. Because the AAUP now has been certified as the exclusive representative of the faculty in those matters, it is desirable and indeed necessary to ensure that faculty input in those decisions comes through their exclusive bargaining agent, and I have no doubt that Professor Hebert would not only agree but in fact insist on that.

I know that many of you may not agree with those actions; however, from the Board's perspective, our Trustees were acting as required by their legal responsibilities and on advice of counsel. Collective bargaining is an extremely time-consuming process and by its nature it tends to be controversial and adversarial, although I trust that we may find a way, as Professor Hebert has expressed to me and many of you on many occasions, to avoid that perceived nature of collective bargaining. Yet I would suggest to you that we need not become consumed by the process and instead we must continue to focus on our students and on other aspects of this profession that we all hold most dear.

For my part as President, I see my role as being broader in the issue of collective bargaining alone, because my responsibilities extend to each and every member of the University community - faculty, staff, contract professionals, other staff, students, and the constituencies that so very vitally affect our campus community. Therefore, I will continue to focus on our shared goals and aspirations and work to strengthen our campus community despite whatever real or perceived differences of opinion may exist.

In addition, with the concurrence of our Board of Trustees I have delegated responsibility for the collective bargaining process as indicated to you before. The trade-off is that because of that delegation, I will not be personally involved in some discussions, such as those that resulted in recent rule changes, and that you will not be able to ask me about those, because the law will prohibit me from answering questions on these matters in forms such as these. However, I will continue to work with the Senate and the Provost to find ways to improve our consultative decision-making processes. To that end, for example, the Task Force on Decision Making Entities will move forward with appropriate modifications. Also, my office is arranging time for us to meet informally so that we may maintain and enhance our lines of communication.

As we adjust to these new conditions, there's one thing that we must keep in mind, to reiterate the obvious. That although it may seem somewhat foreign to us at first, it is simply that we cannot discuss collective bargaining or items that may be the subject of collective bargaining during those informal meetings or meetings with broader bodies such as this. That is the exclusive province that has been granted now by law to the AAUP. Ohio law clearly prohibits me or any university representative from having direct discourse with you about such matters in circumvention of the elected exclusive bargaining representative, the AAUP. Please try to remember that caveat whenever we meet together either here or elsewhere throughout the campus.

I can tell you that the University once again continues to be committed to bargaining in good faith, and indeed your good colleague has just reiterated that to me in regard to the AAUP, and certainly to working to reaching an agreement in a timely manner. Again, with regard to those issues I ask that you direct any questions you may have either to Vice President Ray or to the Office of General Counsel. I would like to share with your chair, and certainly feel free to distribute a memorandum that was shared with the deans recently by our Office of General Counsel in this matter.

Let me take just a few moments then to switch topics and I'll surely be happy to entertain questions on these topics. First of all, as you know, on June 18th Dr. Stroble assumed her new responsibilities as Senior Vice President and Provost and Chief Operating Officer of the University. She has certainly hit

the ground running, as she will share with you in a few moments. There is a great deal that she has already been able to accomplish and I'm most grateful to you, Beth, for all that you have brought to this - your efforts, your energy and your insights are most commendable; thank you.

Second, with great efforts as your chairman reported from many, including some of you in this room, we are coming much closer now to finalizing a budget for this academic year and our enrollment appears to be stable, although we might've wished that it was even higher. As you know, the Governor appointed a Commission on Higher Education and the Economy. Its chair is Richard Pogue of Cleveland, and I'm pleased to tell you that as a result of the work we did last year and the white paper that I had submitted to the legislature, I've been invited to address this commission next week on our behalf. While I was not appointed as a member of that commission, Governor Taft did invite me to serve as a member both of the Third Frontier Commission which he appointed, as well as the Third Frontier Advisory Board, and I have much higher hopes for those two bodies having actual meritorious outcomes than I would dare to suggest for the Commission on Higher Education and the Economy. It will surely be contentious as I'm finding out already.

The University concluded an exceptional fundraising year. From 1999 to 2000 the University has raised an average of $22.7 million per year and this is nearly double the annual donations in the preceding five years, and I'm most grateful to all who have served so ably in that endeavor. While this doesn't translate into immediate budgetary relief, much as I know Vice President Ray and all of us would wish, it will certainly begin to help in the years to come particularly as the economy improves.

I would highlight a number of accomplishments just very briefly. First, Janice Litzel of our College of Education was named as Educator of the Year by the Ohio Middle School Association. One of our colleagues in the School of Law, Jeffrey Samuels, was appointed by the Secretary of Commerce through the U.S. Patent Office as a commissioner in the Trademark and Public Advisory Committee for a three-year term; this is a great recognition of not only Professor Samuels' accomplishments and recognition nationally but our own efforts in that regard.

Finally, the things that bring me the greatest pleasure - the recognition of our students - just one item: Two of our University of Akron business students recently won top honors at the fifth Annual National Collegiate Competition in Atlanta. Here's what particularly brings me great pleasure - the Akron team beat out 20 other schools including Purdue, University of Georgia, as well as Texas A&M, among others. Mr. Chairman, thank you for your graciousness and I'll be happy to take a couple of questions on this subject."

Chair Sheffer then called for questions of the President. Senator Gerlach had a question regarding the passing of Miss Pardee. Some were curious to know what was going to happen to her residence. We had heard years ago that it was to be bequeathed to the University, for what purpose he did not know. Would the President comment on that?

President Proenza thanked Senator Gerlach for raising the issue. He then made reference to the passing of both Miss Pardee as well as Dr. Auburn. Many were able to attend the funeral services for former president Auburn and the University together with his family. His estate was planning a special memorial service hopefully yet later this fall if not into the early spring, to recognize his achievements. With regard to Senator Gerlach=s specific question, it had been the President=s understanding that that was in Miss Pardee's will, but her will had not been probated and he did not know what specific provisions were made.

Senator Garn-Nunn then announced that Miss Pardee=s memorial service was at 2:00 p.m. on Saturday

the 13th at the Unitarian Universalist Church in Fairlawn across from Summit Mall.

VI. ELECTIONS - Chair Sheffer stated that the Senate was now to hold the elections of Senate officers. There were three members of the Executive Committee, the at-large members, who needed to be elected. We also needed to vote for the chair of the body. The members who were continuing on the Executive Committee were Secretary Kennedy, Senator Lee, and Senator Erickson, who was the Vice-Chair of this committee. He then opened the floor for nominations of the chair of the Faculty Senate for this year.

Senator Erickson nominated Senator Sheffer; Senator Harp seconded this motion. Senator Yousey, upon a suggestion from Senator Gerlach, made a motion that the nominations be closed and that a unanimous ballet be cast for the chairman. The body then voted its unanimous approval of the ballot; Chair Sheffer was re-elected.

Chair Sheffer then called for nominations for the three at-large members. Senator Garn-Nunn nominated Senator Kate Clark. Senator M. Huff nominated Senator Maryhelen Kreidler. Senator David Witt nominated Senator John Hebert. Secretary Kennedy nominated Senator Harvey Sterns. Senator Luoma nominated Senator Hanna. Senator Hanna nominated Senator Luoma. Each nominated Senator indicated his/her willingness to serve on the Executive Committee. The Chair then called for a paper ballot to be taken. Senator Fenwick and Senator Spiker acted as tellers.

Senator Gerlach made a motion that the lowest votegetter be eliminated for the second ballot. Senator Wilkinson then seconded this motion. Senator Covrig stated that the easiest thing to do was to take the top 3 votegetters. He did not think it had to be a majority. Senator Gerlach stated that he thought it did; Senator Covrig then asked whether it could be a plurality, to which Parliamentarian Cheung stated he did not believe it could be. Senator Erickson offered a friendly amendment, that the lowest 2 votegetters be dropped from the ballot. Senator Soucek seconded this motion. Senator Wilkinson accepted the friendly amendment. The Senate voted its approval of the amended motion.

Chair Sheffer then called for nominations for the Senate Ohio Faculty Council representative to attend the monthly meetings in Columbus and for the alternate representative. The Chair stated that Senator Spiker was not seeking that position any longer, so he would open the floor for nominations.

Senator R. Huff nominated Senator David Witt who agreed to accept the nomination. Senator Soucek then moved that the nominations be closed and a unanimous ballot be cast for the position. The Senate then voted its approval. Senator Witt was unanimously elected to serve as the Senate representative to the Ohio Faculty Council.

Chair Sheffer called for nominations for the alternate representative. Senator Witt nominated Senator Garn-Nunn. Senator Garn-Nunn accepted the nomination. Senator Harp then moved that the nominations be closed and a unanimous ballot be cast for Senator Garn-Nunn. The Senate so approved this motion and unanimously elected Senator Garn-Nunn to the position of alternative representative to the Ohio Faculty Council.

Chair Sheffer then indicated that there would be no elections or caucus to the Planning & Budgeting committee since the Board had ensured that PBC would disappear as of September 30. The current members would continue their function on that committee until that time, the end of the month.

REPORT OF EXECUTIVE COMMITTEE **B** Secretary Kennedy stated that, as Chair Sheffer had indicated, the Executive Committee had met numerous times over the course of the summer. We met

on May 16 and certified the Faculty Senate elections held last spring. We met on July 7 and conducted Senate committee assignments. We would note that preference sheets did need to be returned to Marilyn in a timely manner. Further, all Senators needed to serve on at least one committee, so if a Faculty Senator was serving only on the CFPC or PBC, would he/she please inform Marilyn regarding his/her preference for another committee assignment.

Members of the committee met with Vice President Ray and Provost Stroble on July 30 to discuss the budget and health care issues. As those issues were going to be discussed at some length later, she would curtail her comments.

The Executive Committee met on August 14, 21, and 29. A good part of the discussion at these last meetings centered on the actions taken by the Board of Trustees at its August 20th meeting. To that end, the Executive Committee brings to the Faculty Senate three resolutions. The resolutions are the following: **At its August 20, 2003, meeting the Board of Trustees of The University of Akron introduced and approved sweeping policy changes to several key rules concerning governance at The University of Akron. These policy decisions were made without consultation, discussion, or even simple notification of those constituencies most negatively impacted by these changes. As the unified legislative body which represents the spectrum of entities at the University including those full-time faculty outside the collective bargaining unit, part-time faculty, staff, contract professionals, students, and retirees, as well as regular faculty now represented by the AAUP, the Faculty Senate of The University of Akron cannot support the Board of Trustees changes. This conduct violates the principles of shared governance and transparent decision-making that are the mark of good leadership, and may violate the letter of the open meetings provisions of the Ohio Revised Code. Therefore: 1) The Faculty Senate strongly urges the Board of Trustees to rescind all changes made in rule chapters 3349-20-03 The faculty: general personnel policies; 3359-10-02 The University of Akron bylaws of the Faculty Senate; and 3359-30-01 Guidelines for Academic Retrenchment Due to Financial Exigency. 2) The Faculty Senate requests a full explanation of the reasons for the changes and why the manner in which they were carried out does not violate the Ohio Revised Code. 3) The Faculty Senate charges the Executive Committee to investigate whether a supplementary report to NCA is warranted in light of the University's reliance, in its recent Self-Study Report, on the inclusion of the Faculty Senate and the University Community in governance, planning, and budgeting issues.**

Chair Sheffer called for discussion of the resolutions, stating they could be dealt with as a whole or singly.
Senator Hebert rose in support of the resolution. He thought it very, very appropriate. Senator Gerlach then added his support as part of the Associations of Retirees of The University of Akron. Both Senate representatives of this association had been instructed to convey to the Senate and to our colleagues on the faculty our deep concern about these developments. He dared say that if the Trustees had done this with the full advice of counsel, that might be all well and good but it smacked of a hint of confrontation and adversarial relations that he did not think needed to be brought into this matter. The University had over the years built up this system year by year, decade by decade, and we thought it was in accordance with the principles of shared governance. He thought the Trustees in their obligation to deal with the AAUP as the collective bargaining unit had many other things to talk about, mostly principally, salaries and benefits and they should not affect the basic governance structures of this University the way they had. The representatives of the Retirees Association thus gave their support to the resolutions.

Senator Soucek then stated that he would give his support to this as well but would say that we had declared war in a certain way. This was the first salvo back. So, we had made our bed; this was part

of it.

Senator Lee then spoke. He had been mulling a question for the President but the President left too fast. It struck him that just because the President stated that he was not allowed to talk about anything that might conceivably be a subject of collective bargaining did not make it so. So for instance, it was not clear to him why there couldn't still be input whether from faculty members who were non-union members through the PBC or any other body that one might form on planning and budgeting issues. Maybe it would have to be changed not to comprise negotiation. Surely there could not simply be a muzzle on all of us to give the University any input whatsoever on any of these topics. If the President was getting legal advice that he was required not to answer any communication and that no administrator could respond to any communication about any of those topics, well, he was not an Ohio labor lawyer and did not know whether it was right or not, but his suggestion was to check whether it was good advice. So he was asking that, even within the realm of the collective bargaining restrictions that exist, he did not see how any of that at the least prevented an explanation of specifically why each of the changes had had to be made according to the labor law, just a simple explanation which did not seem to him could be within the restrictions that the President was talking about.

Senator Harp then spoke, stating that the University chairs had met last Thursday and at that meeting we had invitees of chairs from Cleveland State and Kent State Universities. It was very helpful and we had scheduled it long before the rule changes had occurred. Two points of fact: One, that the faculty in the Senate were involved in a planning and budget committee at both of those universities, indicating that Ohio law could be read differently from what we were hearing. Secondly, that chairs served on Senate at those institutions, though he would be perfectly happy if chairs did not serve here. The third point of fact about the rule changes was that department chairs were elected by faculty at those institutions.

Senator Sterns then pointed out that the same kind of reasoning could also be applied to Campus Facilities Planning. We knew from years and years of good work that we had been able to bring together the Vice President & Provost's office, Facilities Planning, staff, faculty, and administration, all working together with a very successful set of opportunities to make our programs better. He thought that needed to have continual input of faculty and administration to our thriving process.

Senator Jeantet tried to read the bylaws and all of this was very difficult for him to understand. He was not a lawyer. But it seemed to him that with the action by the Board of Trustees, if the Faculty Senate had functions a, b, c, d and e, for example, and the AAUP was going to take over functions a and b, he did not see why we should be stripped of functions c, d, and e.

Senator Kahl then stated the he would support the motion but thought that the Board and the President had chosen to make this body irrelevant by what they had done. He did not think that this motion or anything Senate could do would change that.

Senator Harp asked whether Senator Kahl was suggesting that we not serve individually or collectively?

Senator Witt then spoke in support of the resolution. He did however want the Senate to address one thing. There was language in the second paragraph that tended to serve the interest of dividing the faculty into parts and he was not so sure we wanted to do that. We had full-time faculty, part-time faculty, staff, contract professionals, students, retirees. He did not know why we had to introduce that some of the faculty were in bargaining units and some were not.

Secretary Kennedy replied that one of the reasons that that language was put in was because there were faculty now at the University who, after their terms expired, would not be allowed to participate in

Faculty Senate. These same faculty were not allowed to participate in any of the union activities or the union vote. She thought that should be pointed out to those who had made these changes, that there were groups of faculty who would not be represented. We had a voice here. Why should it not be pointed out that certain groups were now left Ahigh and dry?"

Senator Witt responded by suggesting that we state it a little more plainly and say exactly that, rather than having to read it in somehow. Faculty were faculty, was the point he was making. Chair Sheffer then asked whether he wished to make an amendment to the resolution.

Senator Witt replied that he did. He moved that the wording in paragraph 2 of the resolution be changed to strike the words "outside the collective bargaining unit," and strike the words "as well as regular faculty now represented by AAUP." Senator J. Yoder then seconded the motion. Chair Sheffer called for discussion.

Secretary Kennedy stated that she would again like to point out that she did not consider herself just faculty-faculty. She was faculty-chair. Senator Witt=s response was to not allow that to be taken away.

Secretary Kennedy replied that that was the exact intent of the resolution. To point out all of the individuals who were represented by Faculty Senate because obviously it had been forgotten. That was all we were trying to point out. It appeared that who was and who was not on the Faculty Senate had been forgotten; therefore, we wanted to spell it out very carefully. The Faculty Senate included both those in the collective bargaining unit and those outside.

Senator J. Yoder then stated that she thought that in this room faculty were faculty. It was the Board that had decided to divide us into chairs and regular faculty, and it was appropriate to do that for purposes of collective bargaining. She did not think it was relevant to what we did as senators. She thought that the basic principle here was that we were letting other people define us. If we did not pass this resolution we were letting the Board make the decision about what we were. We needed to pass this resolution to take back and make a statement about who we were, and she thought we needed to think of ourselves as faculty.

Senator Rich wondered whether there was some confusion about what the point of this language in the resolution had been. Let him speak as a member of the faculty who, to his regret, was unrepresented by the union. He thought it made the essential point that the decisions the Board made disenfranchised some members of the faculty because they were not represented by the union. He wondered whether the Board had actually even thought of that when they did what they did. They might well have done it anyway, but he was not at all sure that they had thought of that. The fact of the matter was that this body did represent some people that the union did not. The union might in fact do a good job of considering the interests of those; that was not really the point. But the resolution as written made a very valid point about the fact that the membership included people of the University who were in effect not part of the collective bargaining process.

Secretary Kennedy then added that the resolution was not for the Senate. We did not need a resolution for ourselves. We were passing this on to the President who would then hopefully pass it on to the Board. It was not for us.

Senator Soucek then spoke in support of the resolution as written. The faculty really were not faculty even if we were faculty in here. Once we walked out of here we were not equal; part were represented by collective bargaining, part were not, and that was a fact.

Chair Sheffer then called for a vote on the amendment. The amendment failed. He then called for further discussion of the resolution.

Senator Gerlach then stated that, since Senator Lee had raised this business about getting good legal advice as opposed to poor legal advice, there was all the more reason why the Board of Trustees ought to be encouraged to rescind these charges, or, at the very least, to examine further these points in the Ohio Revised Code. Who was conforming to that code and who was not? If the body permitted, Senate Gerlach then quoted Edmund Burke who once observed in the Revolutionary era, "It's not always what a lawyer tells me I can do; it is what morality, decency, sensibility tell me I ought to do."

Senator Lee then stated he wished to comment on some of the statements in resigned support. This was not a formed resolution or proposal, but it struck him that if the Senate was serious about some of these things, some further food for thought might be: We were not in a position to hire lawyers ourselves, but if we thought that the actions taken by the Board were in violation of law and they were not valid, we might then continue to operate PBC since the Board of Trustees' recision of the rules was not effective. We did not have to be quite so resigned in saying the Board did whatever they wanted and we lived with that.

No further comments on the resolutions forthcoming, the Chair then called for a vote. The Senate unanimously approved the Executive Committee resolutions.

Senator John then asked, if the BOT changes did not conform to the Ohio Revised Code but the Board indicated that they did, how was Senate going to determine which view was correct? How were we going to get the truth? We had to think through that next step. Was there someone who could do that for the Senate?

Senator Hebert stated that he wished to respond to both Senator Lee and Senator John. However, Chair Sheffer indicated that, as there was no business before the body at this point in time, Senator Hebert=s comments should be presented under the good of the order.

Senator Kolcaba pointed out that committee re-assignments should wait until the Senate had determined whether we were going to continue our work in PBC and CFPC.

Secretary Kennedy then continued with her report. At the August 29th meeting the Executive Committee had learned of recommendations that Vice President Ray was going to send to President Proenza to be forwarded to the Board of Trustees, changes to the University health and medical insurance plan. Although Vice President Ray's recommendations were apparently in line with those presented by the Well-Being Committee as alternative 2, the Executive Committee had requested of Vice President Ray that he provide the committee a copy of the recommendations he was sending to the President. Again, health issues will be addressed by the Well Being Committee. As of yet, the Executive Committee had not received those recommendations from Vice President Ray.

Chair Sheffer then announced the results of the election of the Executive Committee at-large members. Senators K. Clark (27 votes), Senator J. Hebert (34 votes) and Senator H. Sterns (36 votes) were elected.

At this time, Chair Sheffer invited Provost Stroble to address the body.

REMARKS OF THE PROVOST

"I want to start out by saying thank you to many individuals in this room who've sent me notes of congratulations and sometimes condolences. At the time of my formal appointment on June 18th I gave you a handout that will be my formal report for today **(Appendix B)**. That will be my habit as I meet with this body, to give you a formal report. This one really covers activities since June 18, so this is a fairly long list. I'm hoping for all of our benefits that it's a bit more condensed when only a month's worth of time has passed, but that remains to be seen.

I want to start out by saying that I really do consider it to be a privilege and an honor to be the Provost at The University of Akron. It's certainly a challenge, and the conversation we just had indicates some of the ways in which it will be a challenge for us to work together for the good of the University in the coming year. I just want to say very publicly that the success of our students and the success of this institution is my central concern and I will be doing my best to ensure that that remains the central concern of the Office of the Provost.

I want to share with you a few framing remarks and then I'll highlight just a few activities on this report. It's important that any of us no matter how busy we are, continue to do some reading and thinking and reflecting, so something that caused me to re-engage some reading about good work happened to me about three weeks ago. Elizabeth Kinion in the College of Nursing said to me, "How's it going, and how do you like being Provost?" I said that I like it a lot; it's really good work. That good work phrase came back to me again and caused me to reread and read anew some things about good work, and I've given you a bibliography at the end of my report about a book I've just finished and also a recent article that talks about what is good work?

Here is what Gardner, Csikszenthmihalyi, and Damon say about that. They say good work needs two criteria - it's work that's performed well and it's work that is the right thing to do. So the markers of that are that the work that the worker engages in has a clear mission, it meets established standards for professional practice, best practice, and it maintains the personal integrity and values of the person who's doing it. So good not only in the sense of good quality, but good in the sense of it's the good and right thing to do.

So how do we know whether somebody's doing good work? It's one thing for me to say that I think that the work of the Provost's office is good work, but clearly, everybody else is going to have to be the judge of that as well. I'll expect that as you and I together over the coming year and all the other people I work with on campus evaluate whether the work we're up to is good work, we'll look at it in terms of what are the appropriate values for higher education these days.

New students' success are central concerns - is the work we do consistent with that? How can we compare our work to established standards for good practice in higher education, and how much joy is our work bringing to us? Because it we're not enjoying the work and feeling personally fulfilled and rewarded and satisfied by it, then it falls short of the definition of good work. So I will just say to you right now that I feel like we're doing well on almost all of those markers, but there certainly will be the markers by which we ought to evaluate the work we do together in the coming year because those are important to me as values of the person who's been chosen to be your Provost.

On the report I've given you a little bit of an update of some process issues as well as some product kinds of issues. It's been a busy time since June 18. I made a commitment early on that I would meet with specified individuals, groups of individuals, starting out with people who have direct reports to me, then going out in concentric circles and ever-broadening circles. I really began with people who were present in the summer, so now as more and more people are back on campus, I obviously can spread that net out and meet with more individuals. So if you want some time with me and we have a topic that

we need to talk about and you haven't met with me yet, I just invite you to make that opportunity happen. Be patient, it may take a little more than a week because the calendar is pretty full, but you can see from this, 309 appointments and meetings since June 18 averages out to about 6 a day. So I really do spend the vast majority of my time in conversation with individuals or with groups of people.

Some of the processes that we have in place going down to that third bullet point are brand new, because it's my intention to make the processes that we have in place in the Provost's office and now in the new role for the Provost as Chief Operating Officer to have ways that engage the right information and the right decision makers at the right time to make the best possible decisions that bring coherence to our operations. So some of these you will have heard about.

If a student appeal comes to the Provost's office now, I have a subcommittee of individuals who deal with that. These are individuals who do not necessarily come at a student appeal from the same viewpoint or perspective. When they reach a consensus and give me a recommendation, I'm pretty sure that the best possible thinking has gone into how we should handle this particular appeal, and often you'll find that we send it back to where the appeal came from because we're not interested in being a body in the Provost's office that overrules good decision making that happens in colleges.

We also created a position review committee prior to my appointment this summer. Some of you may have known the procedure that had been established for reviewing position vacancies and requests for searches in the past. Vice President Roy Ray had dealt with the ones that came from the administrative side; Provost Hickey dealt with the ones that came from the academic side. Vice President Ray and I agreed that that was not a procedure that was going to bring coherence and wise use of our resources to make sure that we had a really suitable balance of where positions were being filled for the purposes of student success. So we now have one committee. All positions come to the same body with the two of us being the prime decision makers in concert with each other. That process is fairly new and we'll no doubt have to make some adjustments in it, but it's a process piece we put in place to try to make the title of Chief Operating Officer real.

Provost's office staff meetings are held every single Monday morning except on holidays so that the staff in the Provost's office has a good way of communicating with each other and knowing what's up and being mutually supportive of our agendas. We've also begun to have actual written agendas and minutes for both Council of Deans' meetings and VPs' meetings, and I generally am the person that sets the agenda for the VPs' meetings, just so you know that.

We are in the process of revising our website for the Provost's office so that you will be able to go on our website and see who you call about what kind of topic and that you can get an updated report about our activities. We are collecting and archiving accreditation documents from all of the units on campus and also informal policies. It had been our habit to only call those in at the point that you had an NCA visit and then shoot them back out to people after the visit was over. My inclination is to hang onto those things all the time because partly they're reference points for us, and also it's part of how I learn about units that I don't have much academic experience with. If I read through the self-study and the professional standards that are established by crediting bodies, I have a pretty good, quick handle on what the issues are in this particular college or program and how does it fit into our overall university context. So for me, reading through accreditation documents is a very fast way for me to get up-to-speed about what the various university units are about.

To tell you about two more process issues - I have recently requested from the Board of Trustees appointment of Dr. Chand Midha for this semester to serve as Faculty Fellow for Academic Affairs, and I'm optimistic that they will approve that. Chand as I'm sure many of you know, has served as a

liaison for the President's and Provost's offices, Faculty Senate, and a number of Faculty Senate committees in recent years in a number of roles. I've asked for his assistance on a number of projects that I think the Provost's office needs the leadership of someone who has served as a department chair and brings his unique academic background. So I've sent that forward to the Board of Trustees and we'll see what has happened.

Finally, institutional research is now officially reporting to the Office of the Provost; that was just enacted last week. We're continuing to work out some of the details, but that again is an effort to bring the kind of research that a Provost's office needs and the whole campus needs to the place where we can try to engage the data and the reporting to decision makers in as smooth a way as possible. So those are the process issues.

I won't go through a lot of things on this list down below. If you saw my formal appointment that went out from the Office of the President, there was what I called affectionately the `List of Ten' that I'm supposed to accomplish in five years. I'm not going to have five years to do most of those. Most of those are going to have to be substantially on their way by the end of this academic year, so we haven't wasted any time. This bulleted list just gives you what activities we've actually engaged in since June 18 to try to get every single one of those items on the List of Ten up and running.

I will direct your attention to the final point, number 10: Develop and strengthen interdisciplinary collaborations with campus and external partners. That's a rather short list right now, and that's because those are the people who were around this summer and who needed me to help champion a cause for them to advocate for resources or connections in some way that would help move an agenda long about those programs. That list doesn't have to stop there, and the way this list will grow is for faculty, staff, and students on campus to make contact with me and say here's an idea we have that we think is consistent with this University mission to support student success - the Carnegie Cluster work, the research and the Scholarship of Teaching and Learning. Here's a project that we think brings back together from multiple departments, multiple units - let's talk about how to advance it and move it forward. So now that we're all back and fall semester has started, I'm hoping that the next time I meet with you there will be more things under no. 10 and perhaps a bit fewer under some of these others that will just be a matter of sustaining those rather than adding to the list.

So just my invitation to be part of what I think is important to have as the good work at The University of Akron. I'll finish with three questions that these three authors suggest that we each ask ourselves if we're curious about whether the work that we're up to is good. 1) We should ask ourselves, why should I be entrusted with the position that I have? 2) Which of the colleagues with whom I work best exemplify for me the standards I want to emulate? 3) At the end of the day, how do I feel about myself when I look in the mirror? I hope you will help me to give positive answers to those questions, not only for my work but our collective good work at The University of Akron, and I'm glad to be here and thank you for your support."

Chair Sheffer called for questions for the Provost. Senator Witt stated that he had one question. In her discussion of the position review committee, there always seemed to be some question about how positions come back and those rules tended to change from one semester to the next. Just briefly, who was on the committee? His question was, who did we lobby first?

Provost Stroble replied that Vice President Ray and she were the decision makers on the committee. What Senator Witt would hear as she said who was on the committee, were the people who gave us some background, staff support, and some perspective that helped us in making the decisions. If he wanted to talk to somebody and lobby, Provost Stroble suggested that he did so with VP Ray and

herself, because they were the two people who brought to the committee the request list with the rationale. Additionally, on the committee Kathy Watson sat with us because she was able to bring some HR background and experience to that and that was very helpful. George Newkome sat with us on the committee, as did Becky Hoover, and Amy Gilliland. As could be seen, there were people present to help us figure out some solutions to things. However, when it came right down to it, it was VP Ray and herself who were working together to make the decisions. Very soon she would be sending out to every single dean and VP a template that asked, AWhat are your wishes for the coming year for the searches that you would like to engage in?" This would go out to everybody, one template, one process. It would ask everybody to put them in priority order because one of the realities we were dealing with in our budget was that none of us would be able to fill as many positions as we would like. It was important to her that we tried to make this process as transparent as we possibly could and as equitable as we could.

Senator Hebert stated that he had enjoyed the Provost=s remarks. He was curious about the fact that in many instances it seemed she was implicating or asking for faculty input and faculty participation. To him, that was the way the University should work. Did the Provost find any inconsistencies in her remarks and what the Board had recently done?

Provost Stroble replied that there probably were. She thought that that was part of the challenge of working this through. She did not think she could give any more specifics other than her commitment to working through it. What Senators had heard from her was her genuine commitment. Figuring out how to make this work in an environment that we were in was not going to be easy; Senator Hebert was absolutely right. She herself had served for two years as a member of the Planning & Budgeting Committee, so she was well familiar with how that body had functioned. She had continued to work with the subcommittees on ROI and quality measures this summer to help us come back to the October meeting with a recommendation for how to move forward with ROI and quality measures/Balanced Scorecard. So how we continued to work, she did not know and could not predict. But she could say that her commitment was to have faculty input.

PLANNING AND BUDGETING COMMITTEE B Senator Fenwick began his report by stating that his first response, other than the fact that he was going to miss the people he had worked with for the past year on the committee, was that all of a sudden he had his Thursday mornings free. As had been indicated previously by Senator Sheffer and by Provost Stroble, PBC had met over the summer every other week to pursue two ends: One was the continual monitoring of changes in the budget. As Senators knew, the budget was not entirely taken to the Board in the spring because of continual budget cuts. Second, was to develop ROI and the Balanced Scorecard. We were charged by the Senate in the spring to look at and present a plan for the quality measures of ROI that would be consistent with the Balanced Scorecard. We were going to continue to do that, although since the committee would no longer exist by the time the next Senate meeting occurred, his understanding was that that would be presented by Provost Stroble.

As to the budget, PBC had sent out a lot of material in the past week on the new operating budget that had been presented to the Planning & Budgeting Committee **(Appendix C)**. In many ways that budget was very different than the budget the PBC recommended to the Senate that was approved in the spring. He did not want to go line by line in the budget. Therefore, he wished to present the assumptions that PBC used as the basis for the budget in the spring. There were 13 assumptions we used to craft the budget. He would go assumption by assumption starting with the 9.9% tuition increase to see whether or not they had been changed and by how much.

The 9.9% tuition increase - that assumption still stood as far as he knew. It was factored into the

operating budget of August 29th. State share of instruction - flat with current year anticipated 2.5 reduced levels that was correct. There were about $870,000 more in state appropriations due to the Access Challenge and Success Challenge, so they were in line with the budget that was approved. The third one, 3% raise pool **B** that was gone in the August 29th budget. The $1 million plus fringes to continue to address faculty equity compression was also gone from the August 29th budget. In addition to that, on line 33 of the August 29 budget, there was a two-thirds reduction in the money allocated for vacant positions from what PBC had recommended last spring. What we did was take the money that originally was recommended which was $6 million and cut in half to $3 million in the August 29 budget, that was cut down to $1 million.

The next assumption, employee contribution to cover increased insurance costs, was still in the budget as of August 29; in fact, it was $2 million. Faculty or employees in general were budgeted to cover the entire increase in health insurance. Senator Erickson in her report from Well-Being would talk about this in a little bit. There was about a $2-2.3 million overage in health care utilization over the past year, meaning we were in the hole $2.3 million. As Senator Erickson would explain, we had thought that that was due to a computer program error, but as Senators would hear, that was not the case. Employee insurance contribution tied to raise level was no longer in the budget.

A 5% reduction in academic operating budgets and a 10% reduction in non-academic operating budgets had been changed to an across-the-board 3.5% reduction in all operating budgets. A $1.5 million Peoplesoft upgrade to version 8 which was in line 109 of the spring budget was no longer in that particular line, but it was in other places in the budget. It was in capital bonds and the IT budget.

A 50% reduction in University advertising expenses - in the August budget those expenses had been reduced by 25% or a difference of $250,000. Increase in campus contingency - the $1 million was still in the budget as of August 29. Increase in budgeted scholarships to reflect the tuition increase - that line 72 in the August budget had cut academic tuitions for undergraduates by $500,000, and the total amount actually was lower than the fiscal year 03 that had been allocated as academic undergraduate scholarships.

Rejection of requested additional support for the Student Union, Rubber Bowl, and athletic operating **B** PBC had received additional information last spring and this had been already taken to the Board for auxiliaries, that there were additional increases to the Rubber Bowl and to the Student Union. Athletic operating budgets were the same, although in the August 29th budget there was a $1 million increase for athletic scholarships. That covered the 13 assumptions of the budget.

Based on the changes in the budget, PBC decided a couple of weeks ago not to present a new budget. PBC felt there was no time and, given the Board of Trustees' changes, he did not think members had had the inclination to do so. Rather, we addressed two central assumptions, and resolutions that PBC brought to the Senate today: The first regarded the laptop program of IT. This was going to take some explaining; he would try to do it succinctly. Vice President Gaylord had a plan to take the laptops that were coming off the lease which ran out this year and buy those laptops to fit them out with up-to-date software and to sell them at fairly reasonable cost to faculty, students, and employees of the University. Then, the plan called for leasing updated laptops over a 4-year period. Vice President Gaylord came to PBC a couple of weeks ago to discuss this plan. It sounded reasonable, but we were not clear as to whether or not the money that was needed to buy the laptops, refurbish them, spread the lease out, was in his budget or not. PBC had had some discussion last week about the IT budget and was still unclear as to whether VP Gaylord was asking PBC to protect the budget or whether he wanted more money for the budget. That was the reason for the wordy resolution that Senators had before them. Therefore, this resolution was coming to the Senate from committee.

Chair Sheffer then read the resolution to the body: **The PBC recommends that the budget as previously recommended stand, and any consideration of these topics falls within the original budget without recommendation for additional funding.** He then called for discussion of the resolution.

Senator Pinheiro stated that the committee had done a good job over the years with a lot of things. He was wondering what the purpose of this recommendation was. In spite of the committee being dissolved, were we going to send the recommendation anyway, and what would happen with that?

Chair Sheffer replied that as far as timing, if the Board of Trustees' resolutions were in effect as of September 30, this would go as a recommendation from the Senate today which was September 4, to the President for consideration by the Board.

Senator Pinheiro then added that our recommendations were never taken into consideration in the past. Chair Sheffer replied that the BOT was considering the whole budget at this point.

Senator Londraville then asked for a clarification of the laptop program. The plan might be that the laptops would be refurbished and bought back and there would be no new laptops?

Senator Fenwick stated that there would be a new round of leased laptops. Senator Londraville then asked whether this would start the next academic year, and Senator Fenwick replied he was not clear about that. He then directed the question to Vice President Ray, and VP Ray stated that he believed it started next summer.

Senator Norfolk pointed out that CCTC did not know this officially. This was all news to him.

Senator Rich then offered an editorial change to the motion by dropping the "s" at the end of "stands." There were no objections to the editorial change, and this correction was made.

Senator Hebert then asked for a point of information. Did the recommendation refer to a specific line item in the budget that was the IT budget?

Senator Fenwick replied that it reflected uncertainty and confusion on the part of the co-chair of the Planning & Budgeting Committee as to whether in fact IT was asking for more money or wanting us to protect the budget. It was not clear from Vice President Gaylord's discussion or discussion among ourselves as to whether we were asking to approve more money or protect the money that was there. He wished he could be clearer but he did not know.

Senator Goode then asked about the money that the laptops would generate. Where was it going to go?

Senator Fenwick replied that it would probably go back to IT.

Senator Norfolk then stated that he suspected that this was going to be a no-net gain, because we would still owe somewhere between $200-400 depending on how IBM evaluated them per machine. The discussion he had had the last time he talked to Dr. Gaylord was that was the kind of price; it was basically a break-even situation.

Chair Sheffer then called for additional discussion. None forthcoming, a vote was taken. The body

approved the PBC resolution.

Senator Fenwick then continued. The next resolution brought to the body regarded health care and pay raises. Again, in lieu of the fact that the 3% merit pool was no longer in the budget: **Without raises, PBC cannot recommend any kind of employee cost sharing or out-of-pocket expense toward health insurance.** Again, that came from committee.

Chair Sheffer called for discussion of the resolution. Senator Harp stated he would not refer to his specific situation as chair, but to the situation about staff and other employees in the University. He realized there may be a point of view of how we were working as a university with the AAUP and unwillingness to talk about money issues in this initial phase, but there were employees at the University who would not be part of the bargaining unit and those employees proportionately were going to be hit very hard by the increase in health care insurance costs.

Senator Erickson then rose to speak for the motion. It needed to be reiterated and reiterated that the Senate passed in April the whole issue of paying premiums in conjunction with the existence of a 3% salary increase pool along with a recommendation that the premium should cover 80% of the health care cost increase. As had been discussed at Well-Being, only 31% of employees covered by health insurance were 9-month faculty; 22% were 12-month employees, and 46% were staff. Well-Being=s recommendation which was passed by the Faculty Senate last spring was expressly conditioned on the 3% salary increase pool. If there would not be a 3% salary increase pool, Well-Being recommended alternative 1, which was no premiums for health benefits by employees. So she spoke in favor of the motion both as a Senator and also as an elected member of the Well-Being Committee.

Chair Sheffer called for further discussion. None forthcoming, a vote was taken. Senate approved the PBC resolution.

Senator Fenwick then stated that he wanted to thank the Senate for giving him this opportunity to serve the University and this body for the past year. Shortly after he had taken over the job Terry Hickey had asked whether he was having fun yet. Fun was not an adjective he would use to describe the job - rewarding, enlightening, and one of the most rewarding positions he had ever held. He wanted to thank members of the Planning & Budgeting Committee - Vice President Ray, Provost Stroble, Provost Hickey, faculty and staff members who had come to endless numbers of meetings and had wrestled with these problems. And he wanted to thank people not on the committee who had also contributed - Nancy Stokes, Chand Midha, Dan Sheffer, and Amy Gilliland. He then thanked Marilyn Quillin for coming and taking notes and keeping PBC organized. One never appreciated minutes until one had to do them him/herself, and it had been so nice not to have had to do them. PBC was going to issue a final report - a history and recommendations for whatever the successor to the Planning & Budgeting would be, as it would be too important to everyone involved not to have it. Again, he thanked everyone for this opportunity. Hopefully this was good work, and he hoped to have the opportunity to do good works in the future for the University.

Senator Gerlach then directed a question to Senator Fenwick. Referring back to the first slide, there were two points at the bottom that he had said nothing about. Senator Gerlach would like to know what had happened to them.

Senator Fenwick replied that those points were the recommendations based on the relationship between health costs and merit pool. Those were consolidated by the Senate into a single resolution that read something to the effect that a portion of the merit pool should be allocated in an across-the-board fashion to help offset the cost to employees of out-of-pocket health care costs. That was passed by the

Senate.

Senator Gerlach then asked whether nothing had come of it?

Senator Fenwick replied that, obviously, in the last budget it was consolidated. That was why PBC was reasserting that.

Senator Erickson then rose to make a motion from the body. Her motion read as follows: **The Faculty Senate wishes to thank PBC and Senator Fenwick as co-chair of that committee for their unbelievably hard work on the issues of planning and budgeting.**

Senator Gerlach seconded Senator Erickson=s motion. No discussion forthcoming on the motion, the Chair called for a vote. The body resoundingly approved Senator Erickson=s motion.

UNIVERSITY WELL-BEING COMMITTEE

Senator Erickson began by stating that she had a resolution to make as well as informing Senators of a few other items **(Appendix D)**. One was that the bid process for the 2002-04 insurance contract was almost complete. Three members of the Well-Being Committee had worked with members of HR who were on that subcommittee. The contract sent went out to bids that included higher co-pays for the PPO and traditional indemnity and included colonoscopy in covered preventative care. There were two forms of the contract - one without premiums and one with the system of premiums developed by Well-Being last year and passed by the Senate in April.

Then we talked about our interaction with PBC over the summer. One thing to note also, the annual insurance costs had risen by about 22% instead of the 30% increase that the committee had been suggesting might occur. That was some good news and was why Vice President Ray was talking about 3-point-something million instead of 4.2 million, which was what we had suggested before. This year's budget was only for half the budget, so it was half that amount. Well-Being had reminded PBC about paying the premiums being related to the raise pool, and PBC made that recommendation. She had received a memorandum from Vice President Ray advising her as chair of the Well-Being Committee that he was recommending to the President to be recommended to the Board that employees be required to contribute to the cost of health insurance premiums. Mr. Ray's letter did not address whether the plan was conditioned on a 3% raise. This link was our recommendation; we had discussed this at the meeting, and this would be passed on to Senator Ray directly.

Senator Maringer added that one of the reasons for having the vendors bid with no premium versus our paying premiums was to see whether we could have a difference in what they would quote the University. In short answer, had that had any affect at all?

Senator Erickson replied that yes, it was exactly what the committee had thought. It had not made any difference for the HMO's, but for the PPO the bid had come in higher if we did pay.

Senator Maringer then asked whether instituting a premium system increased the overall cost to the University?

Senator Erickson apologized, as the quotes were for how much the University needed to set aside for each. But the budget of the University paid some of that under the premium structure. Overall, instead of a 22% increase it was a 9% increase.

ACADEMIC POLICIES AND CALENDAR COMMITTEE - **(See Appendix E.)**

NCAA FACULTY REPRESENTATIVE - **(See Appendix F.)**

CAMPUS FACILITIES PLANNING COMMITTEE

Dr. Sterns began his report by stating that he, too, found himself in a position where this might be his final report **(Appendix G)**. He would like to emphasize a couple of things. First, Senator Sterns wanted to give his sincere thanks to James Haskell, who was Assistant Director of Campus Planning and Space Utilization, as a tireless servant to this University in terms of coordinating and making possible all the work that this committee does. He thanked Mr. Haskell for all his good work. Members of the CFPC affirmed the need for a continuing cooperative approach involving the Senior Vice President & Provost's Office, Facilities Planning, faculty, staff, and students in providing recommendations in campus facilities planning. We knew what worked and what was effective. That kind of cooperation had been necessary at least in his 15 or so years of experience in doing this work. All officers were reelected with the exception of the new student representative, Leslie Crain. Senator Sterns then introduced two resolutions to the body this afternoon. The first read as follows:

The Faculty Senate recommends that the University continue a planning process that assures adequate funding for all steps in the planning process including costs of moves and new equipment and furnishings. It is critical that the planning process be carried out in consultation with affected faculty and administrative staff. The continuity of all academic and administrative units needs to have the highest level of priority.

Chair Sheffer called for discussion of the resolution. None forthcoming, he called for a vote on the resolution. The Senate unanimously supported the resolution.

Senator Sterns continued. There was a second resolution and, as the committee continued to function this month, he would put it forward: **The Faculty Senate recommends that the Hospitality Management Academic Program be given priority consideration in any future plans for Gallucci Hall. It is essential that there be adequate program space, equipment, classroom space, kitchen and dining space, and offices to continue the success of the program.**
This resolution was being introduced because with the building of the new Honors dorm there was some discussion about whether or not Gallucci Hall would continue or whether it would be dismantled. So the concern was, what was happening to this academic program? If the building were to come down, what provisions were being made to place this academic program in another setting? We feel that this was important enough to bring this resolution to the Senate.

Chair Sheffer called for discussion of this resolution. None forthcoming, the body then voted unanimously to support the resolution.

Senator Sterns continued. He thanked all members of the committee for all of their good work over these last years. He thanked all for the privilege of serving as chair. He was glad he had been given a new assignment so he would not feel like he was being put out to pasture. To which Chair Sheffer quipped that Senator Sterns would not feel like that in a few months.

Chair Sheffer then stated he wished to entertain the following motion: **The Faculty Senate recognizes with grateful appreciation the dedication and hard work Senator Sterns and other members of the CFPC have performed on behalf of The University of Akron.**

Senator DeChambeau seconded this motion. No discussion forthcoming from the floor, the body then voted its unanimous approval of the motion.

VI. NEW BUSINESS

Senator Hoo Fatt then asked whether anyone would be able to do anything about the the parking situation now. We were paying $100 for parking and we did not have any parking spaces. She did not know whether others had the same experience, but how could the parking fee go up and there be no parking spaces? Or if you did find one you displaced a student who then could not come to class. There was something not right; somebody had to do something.

Senator Sterns then stated that this had been his cross to bear. He actually had thought things had gotten a bit better with the opening of the new parking deck, but he also knew that it filled quickly. Keep in mind that there was availability in the east parking deck. What was happening was we were not using the full capability of what was out there. Could Senator Hoo Fatt be more specific as to what she was referring to, as there was parking at EJ and we had many different parking venues here.

Senator Hoo Fatt replied that she worked in Auburn Science. They had closed two of our parking decks, and they made all the parking decks "All Permits." So one day she had gotten there after 9:30 and went to five parking decks. She had ended up having to go to the Polsky deck at west campus and was almost late for her class. She had seen many students doing the same kind of searching and she was sure they had never made it to their classes. In fact, she took somebody's space, as it was either her or him, and she just took it.

Senator Sterns stated that in the past CFPC had invited Mr. Stafford to Senate to talk about parking, and perhaps we could do so again. Senator Sterns stated that we were still not out of the woods and he agreed that we were still having a rough time.

VII. GOOD OF THE ORDER

Senator Witt stated he would like some advice. Perhaps the Executive Committee could charge CCTC regarding the laptop situation. He realized that it was a little early to be deciding whether he should completely abandon this little thing he had come to enjoy so much, and he was beginning to envy some of his colleagues who had left them in the little boxes they came in and never used them at all. As it turned out, they would be much happier than if they'd used them and then had them taken away. Maybe by the next meeting the Senate could get some advice to faculty on what to do with their laptops and some future use of them.

Chair Sheffer stated that this would be dealt with in the Executive Committee.

Senator Gerlach then stated that he had been asked to convey a message to all. Most probably remembered Dr. Gary Oller, who was for quite a number of years secretary of the Senate. He asked Senator Gerlach to convey his best wishes and farewell to all because he was moving back to Philadelphia as of the 17th of September. He had taken disability retirement because of the stroke he had had a couple of years ago, so he said farewell.

Parliamentarian Cheung then asked for permission to address the body. So granted, he began. He would like to thank the Senate for taking, for what might seem right now, as limited action to guard faculty prerogative of this body. He knew it sounded from a number of people that there was the fear that this might be in vain and that that prediction might indeed come to pass. This body had not faced

straits like this precisely before, but it had faced nasty times. At times it had been his privilege to serve where Chairman Sheffer stood, and by and large we prevailed. So he would say to all, even if it did not look so good, Senators were the last voice of the faculty. Senators could raise that voice in resolution and in a way that was unique to the faculty, staff, students, the combination that sat in this body. Even if Senators felt it to be in vain, it was their obligation to object to the last breath. He then thanked the body. His remarks were received with a hearty round of applause.

Chair Sheffer then pointed out another item for the good of the order. This came from Senator Hebert in response to a question that had been made earlier. Senator Hebert was trying to make the point that the questions about the Ohio Revised Code and any violations of that were being looked into by a lawyer at this particular point in time. That would be reported in the minutes of the meeting. Chair Sheffer then called for additional items for the good of the order.

Senator Erickson stated she wanted to rise on the news that Dr. Gerlach had just given the body. She wished to extend the thanks and appreciation of the Senate to Dr. Oller for all the work he had done over the years. He was an extraordinary person for this body. Provost Stroble had talked about people who did good work; the people mentioned were the people that we looked up to. In terms of people who valued the work of this body at their highest level, it was to see Senator Oller who had spent so much time and effort. When she looked at what the Board of Trustees had done, in some sense it had the effect of taking all the work of Senator Oller away in fifteen seconds. She therefore made the following motion: **The Faculty Senate expresses its most sincere appreciation and gratitude for the all the hard work and dedication shown by Dr. Gary Oller to the Faculty Senate.** Senator DeChambeau seconded this motion. The body unanimously approved it.

Senator Gerlach then asked whether the Secretary of the Senate would convey some sort of note accordingly to Dr. Oller. Senator Gerlach was assured that this would be done.

VIII. ADJOURNMENT - The Chair called for a motion to adjourn. This was made and seconded. The meeting adjourned at 5:00 p.m.

Transcript prepared by Marilyn Quillin