

University of Akron Faculty Senate Meeting

September 5, 2013, 3:00 5:00 p.m.

CHAIR WILLIAM RICH: The September meeting of the Faculty Senate is called to order. The first item on the agenda is the adoption of the agenda. Is there a motion to adopt the agenda? Senator Raber. Is there a second? Senator Bouchard. Are there any additions to the agenda? Hearing none, all those in favor of the adoption of the agenda please signify by saying aye.

MANY SENATORS: Aye.

CHAIR WILLIAM RICH: Opposed by opposite sign. The agenda is adopted. Next item is the chairman's remarks.

First of all, I want to welcome you all back to another academic year and another year, and for some of you your first year in the faculty senate.

I do want to introduce the new members of the senate and note all those who have been reelected.

In the College of Arts and Sciences we have newly elected, and I am including in newly elected, those who were not in the senate last year but may have been in previous years. Linda Barrett, Constance Bouchard. Parizad Dejbord Sawan, and I am afraid I butchered that name. I am sorry. Clayton Fant, Laurie Lashbrook, Jeffrey Riedl. Reelected, Elizabeth Erickson, Ali Hajjafar and Harvey Sterns. There remain two vacant seats in the College of Arts and Sciences to be filled by runoff elections yet to be conducted.

In Summit College newly elected Roland Arter, Dwayne Jones and Sukanya Kemp, and reelected Lynn McKnight. There's one vacant seat remaining to be filled in Summit College.

College of Education newly elected Gary Holliday, Robert Schwartz and reelected Tim, Timothy Lillie. There's one seat remaining to be filled there.

College of Polymer Science and Polymer Engineering newly elected William Landis.

College of Business Administration newly elected Colin Onita.

Part time faculty newly elected April Freely, and new representatives of the Undergraduate Student Government Turner Anderson and Liz Davis and the Graduate Student Government Marissa Blewitt.

College of Engineering I would note has four seats yet to be filled, and the College of Health Professions has two vacant seats as well.

Let me give you some reminders. Those of you who have been in the senate are familiar with these, but for the benefit of those who are new to the senate or whose memories may be hazy, some requests. Please put your name placard in front of you on the table with your names facing the chair. I presume that you know who you are. If not, we have more serious problems to deal with. But it does occasionally happen that somebody just isn't paying attention and doesn't turn it the right way and so please be sure to do that.

Be sure to if you haven't already done so, initial the attendance sheet. That's how we keep track of who is present. Please bring to the meeting the materials that were distributed in advance of the meeting. We will not be providing paper copies as has been done in previous years. We phased that out during the last year. That means either bring a laptop or some sort of device on which you can read an electronic document or then if you need to, print out your own copy of it.

Please do not speak until recognized by the chair. This is important so that we maintain order and so that the transcript can be done accurately.

Please raise your hand to be recognized to speak, and if you think that I may not be able to see your placard, since I do want to be able to recognize you by name, please hold up your placard. Depending on where you are sitting, it may or may not be blocked by someone else.

Please rise to speak when recognized. Speak loudly enough for everyone to hear, especially our transcriber. Please address your remarks to the chair. A good way to remember to do that is to remember to begin everything with Mr. Chairman or Madam Chairwoman as the case may be. The reason for this is that this is standard in parliamentary procedure, and the main reason for it is that it helps to maintain decorum and de personalize the exchange so even that if your remarks are directed to someone else, perhaps to ask them a question, you would say, Mr. Chairman, I wonder whether the, you know, whether Senator Miller would care to comment on such and such. It's really directed at Senator Miller, but you, or in this case Vice Chairman Miller, but you're directing it to the chair.

I realize it's a little artificial and one doesn't always remember to do this, but let's try. It does help, I think.

Remember that your words are being memorialized in a transcript. And please adhere to Robert's Rules of Order. I know not everyone here is intimately familiar with Robert's Rules of Order. I'm here to help with that. That's one of my functions. And so please accept correction when it's necessary, but do your best to follow Robert's Rules of Order as well as you know them.

And finally, please don't go on too long. It's a deliberative body. There are other people who need to speak maybe to the same issue. There's other business to be transacted and people, we need to be able to leave at a reasonable hour as well. So please exercise some self discipline in that respect. If you fail to, I may exercise some discipline for you.

Let me also mention that next Thursday at 3:00 there will be an orientation for new senators. It will be held in this room, and you will be receiving a notice of that. We'll try to acquaint you with some of the procedures and some of the structure and the history of the faculty senate and address any questions that you may have.

Let me now report on some developments that have occurred since our last meeting, the one in May.

First of all, I need to report that the president disapproved two pieces of legislation passed by the senate; one in the April meeting and the other in the May meeting. The one from the April meeting was a resolution opposing changes in full time faculty teaching loads for the Fall 2013 semester and urging the gathering of departmental faculty workload policies and data on faculty workloads.

The other resolution passed by senate and disapproved by the president was the one in May that opposed the eight credit hour per semester limit on teaching loads for part time faculty.

Recently we were informed by the administration that notwithstanding the Obama administration's decision to delay enforcement of the Affordable Care Act and employer mandate for one year, the new eight credit hour per semester part time teaching load limit would continue to be enforced.

I also want to report that the, that for the first time at least in memory, as a result of the actions of the faculty senate last year part time faculty were included in the new faculty orientation.

Concerning reaccreditation, on July 11 the Higher Learning Commission formally notified the university that its accreditation had been continued with the next reaccreditation scheduled for 2022 2023 but that the university would be subject to interim monitoring and a focused site visit in Spring 2015 on two issues: Governance and assessment of student learning.

With regard to assessment, the Higher Learning Commission monitoring and focused site visit seek to ensure as the letter put it, that graduate and undergraduate academic majors and the general education program have assessment processes in place that include A, the skills and concepts to be mastered; B, the assessment methods employed; and C, the analysis and use of results to improve academic programs. This means there's a good deal of work to be done by faculty to develop and implement those assessment processes.

Also in the July 11 letter the Higher Learning Commission states that the 2015 focused site visit "should evaluate the relationships and roles of faculty in shared institutional governance." And in its report the Higher Learning Commission site visit team concludes that, "While the university has made substantial progress with shared governance there are still be obstacles and difficulties associated with the interaction between administration and shared governance bodies." The call is for "additional improvements in consultation, transparency and in particular

in explaining decisions" noting that the faculty perceive "continued problems of a lack of transparency around administrative/financial decisions." And it suggests that "full implementation of University Council could go a long way toward resolving these concerns" and it recommends that the university administration address "concerns about how effective the processes that are in place are in providing transparency and a sense of inclusiveness in the operation of the institution particularly with respect to the operation of University Council."

Last month the senior vice president and provost put forward a modification of University Council shared governance mechanism that would eliminate the University Council as a deliberative body preserving only its eight individual committees and creating a coordinating committee with no policy recommending function. I believe this change would undermine any potential for genuine shared governance that the University Council mechanism offered as do the faculty senate's elected representatives to the University Council with whom I have conferred. Later in this meeting we'll consider the adoption of a resolution objecting to this change.

As I look at the upcoming year, I see a few major issues that I expect we will be dealing with in one fashion or another. One is general education reform. As you know, the faculty senate's ad hoc General Education Revision Committee has developed a proposal to reform the university's undergraduate general education requirements. This proposal was distributed by the committee this past spring. Last fall this body passed a resolution affirming that it would not consider any such proposal until each of the affected college faculties have had an opportunity to deliberate on and vote on the proposal. This, by the way, does not mean they have a veto, but they do have to have an opportunity to deliberate on and vote on the proposal.

The proposal is now before the departmental and college faculties. After each of the affected college faculties have had an opportunity to deliberate and vote on the proposal, the General Education Revision Committee will report the proposal out to the senate for its consideration which should occur late this fall or early in the spring.

As I mentioned in my remarks last spring, the board of trustees has a regulation in force concerning faculty workloads. In my view, as I said, it's a good policy. It's consistent with the policies of the Ohio Board of Regents as well. Unfortunately, the faculty workload regulation has not been adhered to. It calls for each academic department to develop its own faculty workload guidelines consistent with the requirements of the regulation. These departmental faculty workload policies are to be discipline specific and reflective of the mission of the department in particular with the types of academic degree programs the department offers. It is the departmental policies that are to determine individual faculty teaching loads. Evidently not all departments have developed such policies and those without those policies need to develop them this year and those with such policies should review them if they haven't done so recently. This should be a faculty driven process.

The widespread increases in individual faculty workloads effected last spring for this fall reflected, I think, an implicit decision by the administration or at least certain parts of the administration, to move away from the recent emphasis on research and graduate instruction and toward a renewed emphasis on undergraduate teaching by full time faculty.

The issue of the appropriate balance between teaching and research and between graduate and undergraduate education should be discussed openly by departmental and college faculties rather than driven by a central administrator adjusting individual faculty teaching assignments ad hoc.

As we face administrative mandates and further cuts to departmental budgets, we need to discuss openly the impact of such cuts on the accomplishment of our academic mission. This mission is accomplished mainly within the academic departments of the university. I'm increasingly concerned that those departments are being deprived of resources to such an extent that their ability to accomplish their missions may be seriously impaired.

Review of the IPEDS data, that's the Integrated Post secondary Education Data System, review of the IPEDS data shows that the University of Akron spends less on instruction per full time equivalent student than do other comparable universities; that the University of Akron spending on instruction per full time equivalent student has declined relative to other comparable universities over the most recent five year period for which data are available; that the University of Akron spends much less on student services per full time equivalent student than do other comparable universities; and that in contrast the University of Akron spending on institutional support per full time equivalent student significantly exceeds that of other comparable universities.

Further cuts to academic departmental budgets will tend to exacerbate these disparities and are likely to have an adverse impact on student success which in the end is mainly a function of instruction.

As you know, President Proenza recently announced his intention to step down as president at the end of June, 2014. As a result there will be a search for a new president during this academic year. The search process for presidents is specified in a board of trustees regulation.

In a nutshell, it's as follows: The board of trustees is the search committee. The board of trustees appoints a subcommittee of trustees to initiate the search, screen applicants and choose finalists. This subcommittee as far as I know has not yet been appointed. Various constituencies, including the faculty, may choose representatives who will be permitted to interview the finalists and meet in executive session with the board of trustees to express their views about the finalists. As far as faculty is concerned, there will be six faculty representatives, three of whom will be elected by the Faculty Senate and three of whom who will be chosen by the University of Akron chapter of the AAUP.

A presidential search, especially one that occurs near the end of a 14 year presidency, is a time to take stock, reassess the university's current needs and make institutional course corrections. This reassessment should inform the choice of a new president. I believe that during the tenure of the next president the leadership of the university will need to focus intensively and focus resources on the fulfillment of our fundamental academic mission. This concludes my remarks.

Next item is special announcements. We have two deaths of colleagues to report that we know of at least. And for the first report, I would like to call on Vice Chairman Jon Miller, who was a departmental colleague of the first one.

VICE CHAIRMAN JON MILLER: Cheryl A. Williamson, a senior lecturer in the Department of English, died on August 11 at the age of 62. An Akron native and graduate of Garfield High School, Williamson earned a B.A. in philosophy in 2001 and an M.A. in English in 2004 both here at the University of Akron. After serving as a graduate assistant, she joined the faculty of the Department of English in 2004 where she taught English composition and argument. She was also a counsellor and instructor for recovering addicts at Interval Brotherhood Home.

CHAIR WILLIAM RICH: Thank you. Also Jerome Apple died this summer at the age of 70. He was a member of accounting faculty at the College of Business Administration and a member of the faculty senate, as well as the finance director of the City of Fairlawn. He earned a B.S. in accounting from Ohio State University, a J.D. degree from Cleveland Marshall Law School at Cleveland State University, and a Master's in Taxation from the University of Akron. I had the privilege and pleasure of working with Jerry on the Reference Committee of the Faculty Senate. He had a keen mind, good sense of humor and a generous spirit.

Would you all please rise for a moment of silence? Thank you.

Next we have the report of the Executive Committee. Secretary Bove.

SECRETARY FRANK BOVE: Thank you, Chair Rich. Welcome and good afternoon, guests and senators.

The Faculty Senate Executive Committee held seven meetings since our last gathering on May second and met with the president and the provost three times over the summer months. On May 16 the EC met to prepare for a meeting with the president and provost that afternoon. The budget deficit was discussed as well as part time faculty teaching load limits, the (inaudible) description of the 120 credit designation for baccalaureate degrees, course selection for the Zips Start program, the status of the Office of Multi cultural Development and the OGA budget provision regarding in state tuition for student issued voter ID documents.

The EC met again on June third and discussed the appointments to the standing and ad hoc committees of the faculty senate, ratified available college senate elections and approved curriculum proposals reported by the Curriculum Review Committee.

The EC next met on June 20 to prepare for the meeting with the president and provost later that date. With the president and the provost the EC discussed student enrollment, budget contingencies and program modifications in light of the 120 credit hour adjustment. A discussion ensued on possible ways to streamline the curriculum proposal approval process under the likely weight of a very large number of modifications.

On July 11 the EC met to continue discussions of senate committee appointments and ratify senate election reports. Many of the election reports were not completed correctly and were returned to the colleges. The EC discussed the Office of Academic Affairs' proposal to expedite the approval of the 120 credit hour adjustment. The EC is dubious about circumventing the system already in place.

The EC also discussed the Affordable Care Act's impact on part time faculty and the senate's role in college reorganization.

On July 29th EC met to continue the discussion on appointments to senate committees as well as enrollment, the budget and support for part time faculty orientation. The committee met again on August 22nd for final approval of senate committee appointments to academic policies, accessibility, athletics, CCTC, curriculum review, faculty research, reference and student affairs committees.

The EC also ratified corrected college election reports. It still stands that we are waiting for runoff and corrected election reports. There are several empty seats that would benefit from a college representative as Chair Rich mentioned in his remarks earlier.

The EC strongly encourages those colleges to execute the required elections and submit an accurate election report to the office of the faculty senate as soon as possible.

The EC met with the president and provost later that day and discussed the presidential search process, updates on the budget, the HLT report, the search for the assistant provost for online learning, general education reform, part time faculty teaching load limit and the implementation of faculty workload policy.

The EC last met August 29th to prepare the agenda for today's meeting and to discuss the recent developments with the University Council. The Faculty Senate Executive Committee is empowered to act on behalf of the senate during those summer months contingent on reporting those items to the senate for ratification.

There are two items that will come up in the October meeting for your approval and ratification. That is, first is the list of curriculum proposals that the EC approved on June 18th and the second is the list of graduates for the summer 2013 commencement that we approved on July 31st. You do not have those curriculum proposals in front of you so we'll make sure that you have those for

your approval in October. And senators, thank you very much for your service to the senate and the university and this concludes my report. I will be happy to take any questions.

CHAIR WILLIAM RICH: Are there any questions concerning the Executive Committee report for Secretary Bove? Thank you.

Next item on the agenda is remarks of the president. Mr. President.

PRESIDENT LUIS PROENZA: Thank you, Mr. Chairman, and good afternoon, colleagues. Let me add my welcome to the beginning of a new academic year. And as the chairman has remarked for many, many reasons this coming year will be much different certainly for me as I have outlined my plans to transition from the presidency back to the faculty for a period of time. I was going to tell you all about that, but since you've done that, let me just add that the trustees will first meet as a search committee on September 16th, about 10 days from now, at which time we will begin the process of determining the approach and what their requirements will be.

Just one thing in that regard. These are fascinating times, transition time, certainly for me as you can imagine. It's a question of what next. And I've used the word transition very purposefully because I don't intend to retire by any stretch of the imagination. Too many things I want to do and intend to do, and so transition is a better term for me.

But for institutions they provide significant opportunities and there will be a lot of dialogue as the chairman has outlined. And I am reminded, and those of you who study literature know of the British author C.P. Snow. He is perhaps best known for the book *The Two Cultures*, lesser known but equally important to the academy is his book *The Masters*, which is giving the analogy here, a masterful account of a transition in leadership in one of the British colleges. I'm not sure if it was, the particular one that was described there, but it may be instructive for some of you to read it, because it does reflect on how an academic community speculates, analyzes, suggests, agonizes in other words again and again and again and again and eventually of course gets delighted by their new person or not as the case may be. But anyway, I would certainly recommend it to you.

So as your chairman has indicated, this time of transition I think can be a time for great opportunity for the campus. I shared with the trustees and with the deans and senior leadership of the university two stories on that day that I would just like to briefly note for you, because they speak to us collectively in ways that maybe you'll appreciate, maybe you won't. I'll tell them to you anyway.

On that very morning that I was going in, the paper reported two interesting things that again I found just very interesting. Number one was that day that it was announced that Mr. Bezos, the Chairman and CEO of Amazon.com bought the Washington Post. This morning, by the way, there's an article in one newspaper about his having met with the staff of the Washington Post

about the future of that paper and of that industry and how maybe collectively they could invent the new future for themselves, and I found that very interesting.

The other story was quite simply the astounding statistic, since the invention of smart phones there have been approximately 3,992 iterations of smart phones. That's only slightly fewer than there are colleges and universities in the United States. Hopefully we're a little smarter than a smart phone in some regards, although sometimes maybe that would be in question. But I just found that enormously intriguing, if for no other reason that smart phones haven't been around as long as universities and already there have been 3,992 iterations of smart phones.

So I tell you that both because it was intriguing to me, and I thought that it would perhaps allow us to spend a good part of this year in the process of analyzing and educating ourselves and figuring out how it is that we are going to reinvent ourselves to align our opportunities with not only the realities of demographics, economics and technology, but our own special context here in Akron, here in Northeast Ohio, here in this nation that we call the United States of America. And I do suggest to all of you that we cannot sit around and wait to see what others are going to do, but to take active steps to design our own future and capture our destinies as I have said to you at other times.

So this year offers us that opportunity, and to that end at the next meeting of the senate in October, I intend to bring to you a set of proposals for how we might proceed along just that path, building upon the processes that we've been engaged on of program review, streamlining our courses, discussions that are ongoing, degree offerings, et cetera. And I would ask, Mr. Chairman, that that be placed on new business on the senate's agenda for October, obviously following iterations, take their time, hopefully brief.

Let me just share a couple of recent positives and invite you to one event. During the summer we were delighted that for the first time the University of Akron received a one million dollar grant from the W.M. Keck Foundation. Some of you may know this foundation. It is a hugely prestigious foundation sited in Los Angeles that awards funds for very, very advanced research, and your colleagues David Simmons, Alamgir Karim and Kevin Cavicchi, whose work on glass formations caught the interest of the foundation and they awarded a one million dollar grant.

Having worked with the, excuse me, with the Keck Foundation and many other lifetimes I can tell you that this is truly an astounding accomplishment for your colleagues and they should be congratulated.

We received a new accolade from a survey conducted by Affordable Colleges and we are noted as offering the greatest lifetime return on investment of any public university in Northeast Ohio, so maybe we are worth something after all, okay?

We also received a National Science Foundation designation as one of only three initially I Corps site locations in the nation, designation to educate faculty, students and the community on entrepreneurial principles.

Finally I invite you to attend the September 9th Annual Forum, that's next Monday, for Inclusive Excellence. A presentation which will take place on Monday. Jonathan Alger, the President of James Madison University, will be our guest speaker.

Mr. Chairman, this concludes my report. I would be happy to take any questions that the senate may have.

CHAIR WILLIAM RICH: Are there any questions for the president?

PRESIDENT LUIS PROENZA: If not, let's get to work. We've got a lot of things to do this year. Thank you very much.

CHAIR WILLIAM RICH: Next item is the remarks of the Senior Vice President and Provost who has advised me that he will not have time to take questions.

PROVOST MIKE SHERMAN: Good afternoon, everybody. I echo Chair Rich, the President's comments about being off to a great start. Serving 28,000 students on the morning that we open and classes are taught, they're clean, the environment is A okay for instruction. It's just an exciting beginning to an academic year and that only happens because of you and the great diligence and attention you bring to supporting the success of the students of the University of Akron.

From that perspective, our new first time full time bachelor's degree seeking students are this year better prepared than a previous year by about one unit of measure on the ACT. Anticipating that will continue gradually over the next several years as we execute on the Pathways for Student Academic Success Strategy that we've embarked upon.

Equally exciting and perhaps more exciting is that we welcome 93 new full time faculty this year, 37 tenure track faculty, 55 non tenure track faculty. As the chair indicated earlier, we had a renewed and redeveloped orientation that included part time faculty coordinated by Becky Hoover, who developed the agenda for those interactions with faculty, department chairs, school directors and deans. And she also in collaboration with deans, department chairs and school directors and faculty also helped direct the first time ever leadership development session workshop for chairs and directors, at which also the deans and their leadership attended.

Clearly there's interest and attention to our enrollment as that links to our budgetary circumstances. As of Monday our head count was down 6.9 percent and our student credit hours of instruction were down 7.4 percent. 4.2 percent of that reduction are actually the result of actions that we have taken on our own to improve the outcome of student success at the University of Akron. Of that 4.2 percent, 1.6 percent of that decline happens because we took

the steps to have an appropriate drop for non payment of fees date. 1.4 percent as you might expect, is related to the reduction in credit hours of instruction that have occurred as a result of changes in course credit hours again linked to more speedily supporting student completion of degree programs.

Half a percent was related to uniform drop practices that we implemented last fall that we continued this fall. And 7 percent, 0.7 percent was related to implementing the Pathways for Student Academic Success.

2.2 percent of that 7.4 percent reduction was related to an actual decline in enrollment. 1.3 percent related to other new full time freshman, 0.2 percent related to part time freshmen and seven tenths of a percent related to transfer students. The final 1 percent of that 7.4 percent decline in credit hours of instruction is related to issues associated with those of retention and persistence.

These numbers of course have implications for the fiscal year '14 budget that was approved by the board of trustees in early summer. That included a 5 percent reduction to the academic units and an 8 percent reduction to the academic support units, continuing our intention to differentiate reductions between academic and academic support units. We are now undertaking a contingency planning exercise because we know we will have to take additional budget reductions given the fact that enrollment has declined more than that which was projected for the budget approved by the board in early summer.

The board is insisting that at the October meeting we present to them a strategy to assure that there will be an institution wide balanced budget for fiscal year '14 and beyond linked directly to an anticipated permanent decline in enrollment which also links to why it's so important to develop new markets and to support student success.

The contingency planning exercise asks units to plan for an 8 percent reduction during which they are to illustrate the impact of such reduction on program delivery as well as support services and infrastructure services to faculty, staff and students.

I have to point out that the final reductions will not be across the board. Let me say that again. The final reductions will not be across the board. They'll be strategic, they'll be as purposeful as possible and demonstrate a more effective use of available resources. Again, that's in preparation for an October board of trustees meeting where they anticipate we'll present a revised budget, anticipating lowered enrollment in the future.

I should point out that this year for the first time since 2006 the country, the nation itself experienced a decline in enrollment in higher education.

As you know, we've reached a tentative agreement with the Akron AAUP. We're anticipating ratification of that agreement by the Akron AAUP on the 13th and appropriately so by the University of Akron Board of Trustees on the 16th.

As the chair indicated earlier, the Higher Learning Commission presented the reaccreditation determination to the University of Akron through 2022 2023. As was indicated they will have a focused visit in 2015 in the spring. There will be two items of focus for that focused visit. One being assessment, and the other being governance.

From the perspective of learning outcomes assessment which also includes course corrections as necessary to improve teaching and learning, I've asked Dean Midha to work with the faculty to develop such an appropriate learning outcomes assessment system, as appropriate taking into account work that we know has taken place through the Institute for Teaching and Learning and to the greatest extent designing such learning outcome assessment methods and mechanisms to align with the redesign of our general education curriculum.

From a governance perspective, they've recommended of course that we continue our positive and good relationship and effective working activities with the Akron AAUP, certainly encourage the continuation of improving a positive relationship and effective interaction with the faculty senate. And as the chair indicated, demonstrating an implemented University Council that is represented by a broad based constituency of those at the University of Akron.

When the Higher Learning Commission asked for this type of governance, it clearly asked that the focus be on long term planning and strategies associated with institutional viability. The board of trustees, upon receipt of the initially proposed bylaws for the University Council indicated that having reviewed those bylaws they would like consideration of an adjustment to those bylaws that would present to them a council that would be more nimble, more responsive and of the greatest extent just in time as appropriate.

Clearly they wanted us to continue to assure and minimize the overlap between the roles and responsibilities of such a council and the faculty senate and the Akron AAUP.

As you've heard, I presented a possible alternative approach to the University Council several weeks ago, but I need to correct the record. I presented that on behalf of the steering committee of the University Council. I presented that on behalf of the steering committee of the University Council.

I understand that you are gonna have a discussion about the University Council during this meeting and I look forward to hearing about the results of those deliberations either today or tomorrow, because as the chair indicated, I have an appointment off campus here in 15 minutes. So thank you very much. That concludes my remarks.

CHAIR WILLIAM RICH: Thank you, Mr. Senior Vice President and Provost.

PROVOST MIKE SHERMAN: Thank you.

CHAIR WILLIAM RICH: The next item on the agenda is the senate elections. We have all three offices to fill, offices of the faculty senate; chair, vice chair, secretary. There are also two seats on the Executive Committee for which the terms of the incumbents are ending, the incumbents being Senator Erickson and Senator Lillie. So we'll need to have elections to fill those two seats. We also need to elect two representatives of the faculty senate to the Graduate Council. Those are one year terms. I should have said that the officer positions and the Executive Committee seats are two year terms. And then we need to elect an alternate representative to the Ohio Faculty Council, that's a two year term. I will talk a little bit more about that one when we come to it. But let's go in the order in which I just listed them, and the first is the chair. I'm going to hand the gavel to Vice Chair Miller to preside over this election.

VICE CHAIRMAN JON MILLER: Is there a nomination for chair? Senator Bouchard.

SENATOR CONSTANCE BOUCHARD: Yes. I would like to nominate Senator Rich to continue as president because I feel that he has done a very good job during this recent period and should be encouraged to continue.

VICE CHAIRMAN JON MILLER: Okay. Is there another nomination? Is there another nomination? Going once. One more time. Is there another nomination? Hearing none, is there a motion that nominations be closed and Senator Rich

SENATOR DAVID WITT: So moved.

VICE CHAIRMAN JON MILLER: All those in favor say aye.

MANY SENATORS: Aye.

VICE CHAIRMAN JON MILLER: All those opposed by opposite sign. Senator Rich is elected, and I will give you back your gavel. (applause)

CHAIR WILLIAM RICH: Thank you. It's an honor and privilege to continue to serve you in this role.

The next item is the election of a vice chairman. As I mentioned earlier, the incumbent is Senator Miller who just presided. Is there a nomination for vice chair? Senator Hajjafar.

SENATOR ALI HAJJAFAR: I nominate Senator Jon Miller.

CHAIR WILLIAM RICH: Any other nominations for vice chair? Any other nominations for vice chair? Any other nominations for vice chair? Is there a motion that nominations be closed and Senator Miller be elected vice chair by acclamation? Moved by Senator Bouchard, seconded by senator Allen. All those in favor of the motion please signify by saying aye.

MANY SENATORS: Aye.

CHAIR WILLIAM RICH: Opposed by opposite sign. The motion carries. Congratulations, Senator Miller.

(applause)

Next we have the election of the secretary. The incumbent is Senator Frank Bove. Are there any nominations for the office of secretary?

SENATOR DAVID WITT: I would like to nominate Senator Bove if he's willing to serve.

CHAIR WILLIAM RICH: Senator Bove?

SECRETARY FRANK BOVE: Willing to serve.

CHAIR WILLIAM RICH: Are there any other nominations for secretary? Any other nominations for secretary? Any other nominations for secretary? Is there a motion that nominations be closed and Senator Bove be elected secretary by acclamation? Moved by Senator Clark. Is there a second? Seconded by Senator Allen. All those in favor of the motion signify by saying aye.

MANY SENATORS: Aye.

CHAIR WILLIAM RICH: Opposed by opposite sign. Congratulations.

(applause)

Next we come to the two Executive Committee seats. I will just refer to them by the names of the incumbents just to keep them straight, because each one needs to be, under Robert's Rules there needs to be an election by majority vote. So, first the seat currently occupied by Senator Erickson, whose term is ending. Are there any nominations for Executive Committee member for that seat? Senator Miller.

VICE CHAIRMAN JON MILLER: I will nominate Senator Erickson.

CHAIR WILLIAM RICH: Thank you. Are there any other nominations?

SENATOR ELIZABETH ERICKSON: And I nominate Senator Sterns.

CHAIR WILLIAM RICH: We have a nomination of the Senator Sterns by the first nominee.

SENATOR ELIZABETH ERICKSON: I have no idea how to do this.

CHAIR WILLIAM RICH: You are putting up somebody to run against you is what you are doing.

SENATOR ELIZABETH ERICKSON: I didn't know that we were going to do this one by one. So if you have got more than one nomination, how do you do this when you, in actual fact you've got to elect two out of three?

CHAIR WILLIAM RICH: Two. We're holding an election for the seat that you currently occupy. And as soon as we're done with that we'll hold an election for the seat occupied by Senator Lillie. Anyone in this body can be nominated for either of those.

SENATOR ELIZABETH ERICKSON: I don't know, I mean.

CHAIR WILLIAM RICH: Do you want someone to run against you?

SENATOR ELIZABETH ERICKSON: I don't, I am, I thought that we were going to have two people out of three elected and therefore I was wanted to make there be an election, and I wanted to have, to put Senator Sterns' name up for election. I don't care if it's me or against someone else. I don't know how to do it when you are doing it one by one.

CHAIR WILLIAM RICH: The way you just did it. If you are not elected the first time then you can run again.

SENATOR ELIZABETH ERICKSON: That's what I'm saying, you might as well make it three then.

CHAIR WILLIAM RICH: Make it three what?

SENATOR ELIZABETH ERICKSON: A third person. We could put Senator Lillie up for it too. I just don't quite understand how you work with this.

SENATOR TIMOTHY LILLIE: I accept the nomination.

(laughter)

CHAIR WILLIAM RICH: Look folks, this is not that complicated. We have two seats, we need to fill each one by majority vote. We may or may not have a contested election. That depends on how many nominations there are whether there's more than one for each seat. Senator Arter, first of all let me get clear about one thing. Senator Erickson, do you wish to nominate Senator Sterns for that seat?

SENATOR ELIZABETH ERICKSON: I want to nominate him for a seat on Executive Committee. That's all I can do.

CHAIR WILLIAM RICH: The senator construes this not to be a nomination.

SENATOR ROLAND ARTER: Can I ease this a little bit? Can I nominate Senator Sterns?

CHAIR WILLIAM RICH: Certainly.

SENATOR ELIZABETH ERICKSON: That would be fine.

CHAIR WILLIAM RICH: We have two nominees, Senator Erickson and Senator Sterns. Any other nominations? Any other nominations?

SECRETARY FRANK BOVE: Was Tim nominated?

CHAIR WILLIAM RICH: I think he in jest accepted the nomination that hadn't quite been made. He could still be nominated. Are there any other nominations? All right. Is there a motion that nominations be closed? Moved by Senator Bouchard, seconded by Senator Hajjafar. All those in favor of closing nominations, please signify by saying aye.

MANY SENATORS: Aye.

CHAIR WILLIAM RICH: Opposed by opposite sign. We're ready for the election which will be conducted by secret ballot. Please take and use only one ballot. Would each of the nominees care to nominate a teller?

SECRETARY FRANK BOVE: If you are able, pass it down to the aisles.

CHAIR WILLIAM RICH: Senator Sterns is elected by a vote of 26 in his favor to 12 in Senator Erickson's favor. Next we proceed to the other seat, the one currently held by Senator Lillie. Are there any nominations for that seat?

SENATOR ALI HAJJAFAR: I nominate Senator Lillie.

CHAIR WILLIAM RICH: Senator Lillie, do you accept?

SENATOR TIMOTHY LILLIE: Yes, I do for the second time. Thank you very much. I do.

CHAIR WILLIAM RICH: I wanted to make sure you hadn't changed your mind. Are there any other nominations?

SENATOR HARVEY STERNS: I would like to nominate Senator Erickson.

CHAIR WILLIAM RICH: Senator Erickson is nominated. Are there any other nominations? Any other nominations? Any other nominations? Is there a motion that nominations be closed? Moved by Senator Hajjafar and seconded by Senator Lashbrook. We'll distribute ballots. Senator Lillie was elected by a vote of 27 in his favor to 13 in favor of Senator Erickson.

Okay. Next we need to elect two representatives to the Graduate Council. The incumbents are Senator Sterns and Senator Loth, and we'll proceed in like fashion. We'll first have an election for the seat currently held by Senator Sterns and then proceed to the other seat. Is there a nomination for the seat currently held by Senator Sterns? Senator Allen.

SENATOR PHIL ALLEN: Yes. I would like to nominate Harvey Sterns.

CHAIR WILLIAM RICH: Senator Sterns has been nominated for representative to Graduate Council. Are there any other nominations for that seat? Any other nominations for that seat? Any other nominations for that seat? Is there a motion that nominations be closed and Senator Sterns be elected by acclamation? It was moved by Senator Jones, seconded by Senator Allen. All those in favor of the motion please signify by saying aye.

MANY SENATORS: Aye.

CHAIR WILLIAM RICH: Opposed by opposite sign. The motion carries. Congratulations Senator Sterns. For the other seat, the other representative to Graduate Council the one currently held by Senator Loth. Is there a nomination?

SENATOR PHIL ALLEN: I would like to nominate Senator Loth.

CHAIR WILLIAM RICH: Any other nominations? Any other nominations? Any other nominations? Is there a motion that nominations be closed and Senator Loth be elected by acclamation? Don't all jump at once. Senator Allen moves, Senator Witt seconds. All those in favor of the motion please signify by saying aye.

MANY SENATORS: Aye.

CHAIR WILLIAM RICH: Opposed by opposite sign. Senator Loth is elected representative to the Graduate Council.

And then finally we need to elect an alternate representative to the Ohio Faculty Council. I want to speak briefly about this before we do the elections. The Ohio Faculty Council is a state wide body made up of representatives of faculty at each of the state universities. Two representatives for each university. One is the chair of the Faculty Senate or equivalent body at that university and the other is an elected representative. We have currently an elected representative whose term is not expiring. It goes on for one more year, it's a two year term and that's Rudy Fenwick. We have had a vacancy in the position of alternate representative.

Strictly speaking what the alternate representative's responsibility is, is to when the representative cannot attend, and I mean the elected representative. They technically can't actually replace the chair, but when the elected representative, Professor Fenwick, cannot attend, the alternate would attend in his place and have voting privileges.

In reality there a little bit more to it in the sense that former Senator Fenwick, Professor Fenwick has indicated to me that he does not expect to remain indefinitely in his post, and so this is an opportunity for someone to familiarize themselves with the Ohio Faculty Council and be more prepared to assume those responsibilities when the time comes, and if this body chooses to elect them as representative.

So, with this in mind and with the observation that this is an important function, the Ohio Faculty Council, and the meetings could even be interesting sometimes. It does involve a once a month commute, not for the alternate necessarily, but for the actual representative and the chair, a once a month visit to Columbus for the meetings which are held at the Ohio Board of Regents.

So are there any nominations for the office of alternate representative to the Ohio Faculty Council? Self nominations would be welcome. Are there any nominations for alternate representative to the Ohio Faculty Council? Senator Jones?

SENATOR DWAYNE JONES: I will nominate myself.

CHAIR WILLIAM RICH: Okay. Senator Jones, thank you. We've had a vacancy for at least a year. I can't remember before that. Are there any other nominations? That would be odd if we then had a contested election. Any other nominations? Is there a motion that nominations be closed and Senator Jones be elected by acclamation? Senator Allen moves, seconded by Senator Hajjafar. All those in favor of the motion please signify by saying aye.

MANY SENATORS: Aye.

CHAIR WILLIAM RICH: Opposed by opposite sign. Congratulations, Senator Jones, and thank you.

SENATOR HARVEY STERNS: Mr. Chair, we might also point out that Rudy Fenwick has chaired that state body and has been a fine representative of the University of Akron in that regard, and I think we should give him our official thanks.

CHAIR WILLIAM RICH: Yes, I think perhaps in a later meeting we can prepare a resolution thanking him for serving in that capacity. He will continue to serve as our representative, but he's been the chair and I think an excellent chair, and has been, it's been a pleasure and a privilege attending those meetings and commuting with him.

Okay. Next we have some unfinished business, namely the bylaw amendments that were formally proposed reported out by the Reference Committee in the May meeting that needed to lay over for and until this meeting.

They have been distributed, redistributed by E mail, they were distributed last May, distributed again recently especially for those of you who are new to the body or who may not have had it foremost on your mind over the summer.

What these amendments are, all the amendments are designed to do collectively is to add one representative to this body, specifically a representative of the academic advisors. I said this last May, but let me just reiterate for those who weren't here then. The history of this is that at one time the senate's purview was broader than it is now. In the wake of the faculty vote to unionize

the board reacted by taking away from the senate its role concerning budgets and physical facilities and really anything that goes beyond academics.

And then eventually the University Council mechanism was proposed, and although not formalized it was somewhat implemented. At that point it didn't really make sense that we would have representatives of the staff and contract professionals in this body, because this body has been limited to making decisions concerning academic policy and curriculum. So the bylaws were amended to eliminate those representatives. Those groups have representation, each has a representation equal to that of the faculty on the University Council. But there was one incidental effect of that that in retrospect was not a good one, and that is that in fact usually at least one of the contract professional representatives happened to be an academic advisor. And given that the nature of this body and its functions, the reference committee thought that, and I think and I will be, not myself here, I am the one who proposed this to the Reference Committee, I think it is beneficial to have a representative of the academic advisors in this body. And the functions relate so closely to what we do in this body that we, that this is a correction that needs to be made. It's been proposed by the Reference Committee and it is up for a vote in this meeting.

Is there a debate on the bylaw amendment proposed by the Reference Committee? Hearing none, I take it you are ready to vote. This requires a two thirds vote of the body, but we'll try it first by voice vote. All those in favor of the amendments, please signify by saying aye.

MANY SENATORS: Aye.

CHAIR WILLIAM RICH: Opposed by opposite sign. Anyone wish to abstain? The vote is unanimous. The bylaw amendments are adopted by this body. I should remind you they need to be actually approved by the, and enacted by the board of trustees. but they'll go to the board of trustees assuming the president sees fit to approve them, which I'm confident he will.

Next item on the agenda is the report of the University Council representatives. We have three such representatives. Who would like to speak first? Senator Lillie.

SENATOR TIMOTHY LILLIE: Mr. Chairman, I would like to defer to Senator Witt who has ably represented this body and has been active in the past few weeks in making sure that the senate and University Council are aware of the considered opinions of the representatives to University Council. So if he's content, I would like to suggest that he begin.

CHAIR WILLIAM RICH: Senator Witt, do you wish to address the body?

SENATOR DAVID WITT: Sure. Mr. Chairman, the, at the last meeting of the University Council, it was brought to our attention by the co convener I guess is the provost, that our year long work on putting the bylaws together and hammering through every aspect of the University Council bylaws was presented to the board of trustees, and they made a decision as the provost I

believe accurately stated, that they wanted it to, that they thought there was too much structure and that they wanted there to be more, wanted us to be more agile. As I looked around the room some of the younger folks might be more agile, but as they start looking like me I like to be more deliberative about things. And there's the talk about just in time. I believe that's a term that's used in business these days to not think about things until you absolutely have to, which is sort of why we're in the predicament that we're in in lots of ways.

At any rate, the provost came up with a plan. And I think he's absolutely right that this is in fact his plan. I think that it was, that the board asked him to do something and this is what he came up with. And the plan as I sent to everybody on the senate list, essentially removes the University Council as a deliberative body, would no longer meet ever again, and twice a year I believe there would be a report that would detail the effects of committee work every six months, and that would be reported to the academic community, yeah?

SENATOR TIMOTHY LILLIE: To the University Council. If I can, if I may? It's my understanding that under the current proposal the proposed new bylaws, that the University Council would be the eight standing committees meeting as one body twice a year. Once to hear proposed goals for the year from the committees and once to hear reports of what happened during the year from the committees. That would be my understanding. That would be, that body would then be called the University Council.

CHAIR WILLIAM RICH: If I may interject, having read this document with a lawyer's eye, and let me say it doesn't stand up well when read by a lawyer, but that's in terms of coherence and such things and consecutive numbering, let me just say that I think it's really very unclear exactly what the University Council is. But if you read it literally the University Council is the eight I think it was, committees, right, and those committees are to meet jointly twice a year. But the document characterizes the council as the eight committees. What exactly that means, I don't know. Senator Witt, did you wish to continue?

SENATOR DAVID WITT: I just wanted to add this. We were presented with this model and told to think about it, and there was some discussion in the room but it was new to everybody. We were to think about it and then this month, next week, next Tuesday I believe, we're to meet and decide on perhaps voting for or against the model. And so I don't think

CHAIR WILLIAM RICH: The proposed bylaws?

SENATOR DAVID WITT: The bylaw changes, right. And I don't think, I think that Senator Erickson is trying to talk to the other constituencies to see if they have any thoughts on the matter. The three of us put our heads together for, you know, as representatives of the faculty senate to say what we said and I sent everybody our comments.

CHAIR WILLIAM RICH: Let me just make one minor wording correction. It's the representatives or the delegates to whom Senator Erickson is speaking. The constituencies are the people they represent.

SENATOR DAVID WITT: Okay, well, there you have it. The other delegates representing those constituencies.

CARRIE SCOTTO: Mr. Chairman, I'm Carrie Scotto from the School of Nursing, and I was elected to the Faculty Senate to represent the College of Health Professions, but apparently we did something wrong and the election was invalid, but Heather says I can ask a question.

CHAIR WILLIAM RICH: Well, that's actually, that's my call. But is there any objection to the, first (inaudible) senator and soon to be senator again? Please go ahead.

CARRIE SCOTTO: My question, Mr. Chairman is this: Do I understand this correctly? I thought I heard the provost say that this plan that he presented to the board of trustees, he presented it on behalf of the Steering Committee of the University Council in effect saying that it came from the University Council. Is that true?

CHAIR WILLIAM RICH: Well, we could hear other views on this, but that is what I believe I heard, too. Senator Lillie.

SENATOR TIMOTHY LILLIE: Yes. Thank you. And I rise to also address that question which I am glad somebody else brought up. The provost did indeed in my, in my interpretation state unequivocally on the floor that this had come as a result of what the Steering Committee of the University Council asked him to do. And yet at the, I have here on my handy smart phone, a copy of the August 23rd E mail that we received from the University Council with the official UC illustrations of the proposed approach and the updated draft of the UC proposed bylaws in which it is stated that the August 13th University Council meeting Provost Sherman discussed recommendations from the Board of Trustees Strategic Issues Committee regarding the University Council proposed bylaws and described a new approach to University Council. That seems to be different from what the provost described today, and in answer to your question this is what we received at the end of August, and up until this moment this is what we assumed to be what the facts were.

CHAIR WILLIAM RICH: Let me ask this question in case anyone knows the answer. I hope someone does.

Of whom does the University Council Steering Committee consist? In particular is there anyone in this body who is on that committee?

SENATOR TIMOTHY LILLIE: I don't think there's anyone in this body on the steering committee.

SECRETARY FRANK BOVE: Yes. Right here. Senator Anderson.

SENATOR TURNER ANDERSON: The UC Student Committee is composed of elected representatives from the University Council main body. It used to consist of one from GSG, one from CS and CPAC and from what I learned yesterday the representative from faculty senate has resigned. And from what was said at the meeting yesterday it has been vacant for the last couple of months.

CHAIR WILLIAM RICH: Senator Lillie.

SENATOR TIMOTHY LILLIE: The University Council, up until and as currently constituted, and I have to use that word rather advisedly because of some of the confusion, had a steering committee that was composed of a co chair and co convener. Sometimes the terms were used interchangeably. That's part of the confusion. Who was elected by the University Council not by, not senate representative but a University Council elected co chair. There was a vice chair who was also elected by the University Council as it currently is constituted that were not in the current one, that were not, except I think we began to make changes because we wanted to make sure it was a student, that were not representatives from each body. They were elected by the University Council itself.

So there was no representative designated in my understanding from the Faculty Senate to the University Council. If you read the bylaws, there may have been in the minds of some of the people who actually are running the University Council, but if you read the bylaws I did not see that.

Now, having said that, I did step down as co chair of the University Council in June. But because I had been elected by this body as a representative to the University Council itself, I continued in that role. So my understanding was at the time that the Vice Chair, Ken Marsden, would have succeeded as co chair. At which point there should have been an election for co chair or vice chair. That has not happened. I think what we're hearing is a further indication of some of the confusion and some of the lack of transparency that we had hoped would be created by the University Council.

CHAIR WILLIAM RICH: What I was trying to find out is whether there's anyone present who has personal knowledge of whether the Steering Committee made this proposal as the senior vice president and provost has alleged. Senator Anderson.

SENATOR TURNER ANDERSON: As an attendee at the meeting yesterday, the UC Steering Committee, Provost Sherman asked the whole committee would you all support me if I came to Faculty Senate and said this was a proposal from our committee? Every member of the committee said yes. This is something that we as a committee are willing to own as the UC Steering Committee.

CHAIR WILLIAM RICH: Was that the first time that had been asked of you?

SENATOR TURNER ANDERSON: That was the first time I heard it discussed in the committee meeting.

SENATOR ELIZABETH ERICKSON: I think that clarifies it. Because the bylaws came to the members of UC after the last meeting, so they weren't presented at that meeting. So Senator Lillie is in fact quoting the exact statement of how we got those bylaws. And this would now see that the Steering Committee presented, I think what has been said here, sees the role of the Steering Committee is much later.

CHAIR WILLIAM RICH: Is there anything else that any of the faculty senate representatives to the University Council wishes to report?

SENATOR ELIZABETH ERICKSON: Yes. I think what we have here, I think all of you have got the copy and all of you understand. I think that you hope you understand that the present university, that the present University Council has had, and all of the sort of previous iterations that we've been working with has had that deliberative/legislative function. It is listed on the bylaws that we have, that we sent up the last time. It is listed on the white paper which was the basis, one of the bases of the bylaws. I was the chair of the bylaws committee that developed the bylaws last, not this summer but the previous summer.

And we were told to base our bylaws, we were told by, and I quote, from the board of trustees, let me just add one little piece. To understand sort of how, the complications here I guess that's all you can say. We've been working on University Council for 10 years. And the first, the committee that developed it came from the Faculty Senate. Faculty Senate set it up and it was done, but it involved a committee that had representatives from each of the, whatever we want to call them.

CHAIR WILLIAM RICH: Now you are correctly using the term constituency.

SENATOR ELIZABETH ERICKSON: From each of the constituencies in the university. And that was the committee that worked a long, long time, came up with a set of bylaws which were then ratified by the members of those groups. That is ASG had to ratify this, the faculty senate had to ratify it, the deans had to ratify it. Everybody had to ratify it, and they did. And we had worked on the notion of that kind of consensus that everybody had to ratify it.

That ratified set went to the board of trustees. And, but as I am quoting here from a study done for the HLC that was done by Bill Jordan in the law school that was quoted by the HLC in their feedback to, on their concern and the need for another visit, and in this he says that they have concerns about the need, they figured at that stage they wanted more VP involvement, the need to avoid overlapping or duplicative committees and a more broadly representative structure. That's what they said.

But here's the important point. They, and I'm not going to, maybe I have to read the whereas. This is of January 19th, 2011, whereas the University Council proposal reviewed by the Rules Committee on September 27, 2010 will serve as the principal resource for the development of the new rule. Then you needed to come up with another document. And that's what they said. Be it resolved that university leadership is meant to (inaudible) new process. And it says the structure and function which will include a substantive role for the aforementioned constituent groups and their at large campus representatives in the development of policies and in planning and recommendation and optimization of campus wide initiatives.

And as somebody who wrote those bylaws, we took this document which was the original document which had that function, it also gave to University Council a very strong, in its committees a committee structure that essentially without particularly large amounts of vice presidential input, some but not all that much, came up with plans, long term plans as the provost said. And then those went to University Council. University Council voted on them, and then they were implementation committees that were done by the vice presidents that we had only a minor role in. But again, the University Council evaluated how well those plans had been carried out. That was the one that we started with.

The provost wanted changes. And the reconstituted committee sort of, of all of the different constituencies came up with this version called the white paper, which is the basis of the bylaws that, the two of them formed the basis of the bylaws that we wrote last summer which indeed kept that legislative structure. Because the board of trustees says use that as a basis. The deliberative legislative function was meant to be maintained. And I think one can summarize the problems with the present situation, which in a number of, you can sort of summarize it even smaller number of lines than the one that we put in as our evaluation.

First of all, when the board of trustees did this before, they did what I think all of us felt was shared governance, which said, hey we've got problems. Let's go back and everybody will discuss it and come up with another version. This is not. This is suddenly out of the blue, this is, comes from above.

So I would say that the process itself is flawed. Seriously flawed from a governance point of view.

Secondly, you've got left only, as we've said, individual advisory committees to the VPs. What we've found in working with University Council that something that Faculty Senate doesn't have to worry about, and that is that when you have a committee that is chaired by a vice president, in your area of expertise, and therefore you are on the committee, it is very difficult for you to make independent statements if you have not got tenure. If you are a staff member or a contract professional, it is really difficult to do.

And in our bylaws we built in a whole system of secret ballots to try and make that a little easier. But it's really hard. And I think we all recognize that. So this particular form removes the

safeguards of secret ballots. And also to do a good job it takes time. So therefore, it has to be part of one's performance.

We all know that service is part of, depends on your department, but it is part of service, right? But in, that is what we put in the last bylaws, but this doesn't even mention it. It talks about, happily about an operating, some kind of operating system that is there, but all of the actual statements that make it a bylaw and make it required are all gone. So that's no safeguards for secret ballots or awards for service, and also reviews independence and effectiveness.

And then of course by taking away the deliberative legislative function, this is serious. Associated Student Government has it. Graduate Student Government have it. We have it, right? We don't just have committees that answer to the president. They have to bring their reports to this body, right? This body has to discuss them, critique them and pass them and then it goes on to the president who then has to reply. He can turn them down, but he replies. That whole function is gone from University Council. Gone. Because now the committees just go through the vice president to the president, and his comments come back through the vice president to the committee.

The coordinating body left is sort of, job is just to make sure that the committees essentially do, actually meet. But that's about it. And then call this once every six months meeting, which is quite clearly not anything to have any input into planning or anything really but to hear what's going on.

And all of the transparency, you heard that HLC wants transparency. All that transparency is missing, because where is the communication function? The committees, just goes straight up, straight down and there is no way in which of course does take place in a deliberative body where you have, that has to be brought clearly to another body. And that guys, is why I think, we think that, we think that we ask you to say that the whole approach has just got to be rejected. And sure, the board of trustees certainly has the right to turn down our bylaws. But as I said, that deliberative and legislative function is what we were asked to do. To put it into the bylaws. That's what it said.

So, I think all in all as somebody who has spent a long time, pretty well 10 years working on this area, and the University Council we have now has its definite flaws, no question, but it does have a structure, which as we all, as we had started with at the very beginning we had agreed as a group, the whole of the constituencies, that it would be based on the framework of the Faculty Senate. And now that is gone.

CHAIR WILLIAM RICH: I think we may be ready to proceed to the new business, which is the resolution.

SENATOR TIMOTHY LILLIE: I would like to add one thing because I think it's important to recognize that a number of people in this body, in particular Senator Erickson who initiated this

process with a resolution to this body some years ago, has worked extremely hard and working on the basis that shared governance is a good idea. We've been repeatedly assured by the administration and others that shared governance or sometimes the president calls it shared leadership, is a goal that we want to achieve.

We have, as Senator Erickson pointed out, we have spent a lot of time over the years developing a consensus which was painful and time consuming, but we felt it was important to make sure that everybody was involved and had their say. And so it's particularly painful for some of us who have been there to have, as I did, sit in the meeting with the provost making presentation either from the Board Strategic Issues Committee as the E mail said, or from the Steering Committee as he said. And to comment as I did that what he was proposing was essentially a series of advisory committees to vice presidents, and that we already had advisory committees to the president and the provost, and I felt that it was duplication.

I believe that that's what the implementation of the current bylaws proposal would result in. I further believe that it would be possible for the administration to consult each of the committees as they wished, and then at some point or another to assert that they had the support of the University Council or of that particular committee without the kind of deliberation and consultation and clear vote that Senator Erickson is pointing out. The danger is not really shared governance in my view. It becomes a series of committees.

There's nothing illegal about that. It's disappointing, and I would urge you to take a stand against it, but I want to be clear that what we have going on here is very different from the idea of shared governance that has been informing us all the way up until now, at least in my view. Thank you.

CHAIR WILLIAM RICH: The Executive Committee voted to propose to the senate a resolution on this issue. So I now turn to Secretary Bove to read the resolution on behalf of the Executive Committee.

SECRETARY FRANK BOVE: I don't have a copy of it.

CHAIR WILLIAM RICH: Somebody got a copy? Senator Lillie, would you please do the honor?

SENATOR TIMOTHY LILLIE: You won't mind if I add a few things in, would you?

CHAIR WILLIAM RICH: I will.

SENATOR TIMOTHY LILLIE: Be it resolved that the Faculty Senate strongly objects to the amendments to the bylaws of the University Council by the senior vice president and provost in the August 13th University Council meeting believing that those amendments would effectively eliminate the University Council as a deliberative legislative body, and with it the potential for genuine shared governance on those matters within the purview of the University Council, and that the adoption and implementation of the proposed amendments would constitute a breach of

faith with the Faculty Senate which initially proposed a creation of a University Council and participated in good faith in the deliberations and negotiations over its creation.

CHAIR WILLIAM RICH: Thank you. So, this is an Executive Committee report. It comes to you not needing a second. Debate is now in order on the resolution. Senator Witt?

SENATOR DAVID WITT: Well, one change I think in light of the provost's comments and some of the comments we've had here is maybe to reconsider proposed by the senior vice president and provost and just say that amendments to the bylaws of the University Council proposed in the August 13th University Council meeting, since there seems to be some dispute on who said or where this exactly came from. My point here is that it doesn't really matter where it came from. The end result is the destruction of this budding opportunity for shared governance.

CHAIR WILLIAM RICH: If I may, I'm not necessarily opposed to the suggestion that you just made, but I do think that language is accurate even if it's true that he did it at the behest of some other body. Whether he was proposing it on behalf of a board committee or on behalf of the steering committee he was still proposing. This does not say that this is his work alone. It just says he proposed it. So I personally don't see the need to do that, nor I do think he was correct when he said he needed to correct the record. There was nothing wrong in the record. Nothing wrong in what I said. If he wished to add something, which is fine, but it was not a correction.

Senator Witt.

SENATOR DAVID WITT: I just, my intent of removing that language is to remove the opportunity to further argue about something that doesn't get any closer to a resolution of the issue is all.

SENATOR TIMOTHY LILLIE: Mr. Chairman, if I understand correctly I rise to second the amendment of Senator Witt.

CHAIR WILLIAM RICH: It's been moved and seconded to amend the language by deleting the words, Senator Witt?

SENATOR DAVID WITT: Senior vice president and provost. Just proposed in the August 13th University Council meeting.

CHAIR WILLIAM RICH: I think there's a by in there.

SENATOR TIMOTHY LILLIE: The words would be by the senior vice president and provost.

CHAIR WILLIAM RICH: Okay. That is the motion that has been seconded. Debate on the deletion of those words from the resolution? We're not voting on the resolution itself. Just the voting on the deletion of those words. Debating possibly the deletion of those words in the

resolution. Is there any debate on that? Okay. Are you ready to vote? All those in favor of the motion to amend please signify by saying aye.

MANY SENATORS: Aye.

CHAIR WILLIAM RICH: Opposed by opposite sign.

MANY SENATORS: Nay.

CHAIR WILLIAM RICH: Motion carries in the judgment of the chair. So we now have before us the main motion as amended. And the debate is in order. Senator Sterns.

SENATOR HARVEY STERNS: Mr. Chair, I would just like to address you about the issue of, in the role of the person who was in charge of the committee dealing with governance issues for the Higher Learning Commission.

If you look at the document that was presented to the Higher Learning Commission, you will see in it an assessment of all of the governmental kinds of actions that were taken since our last visit from the Higher Learning Commission. And one of the things that the committee was very careful about was to try to describe the progress that had been made, and we did feel that there was progress. We felt that the University Council was moving in the right direction.

But we also reserved the notion that until it was fully completed, fully approved, we needed to be watched. And that is exactly what the Higher Learning Commission came back with. We were going to have another visitation because it was not apparent whether we had fully fulfilled this role for University Council. And I think that we really do need to, for the good of this institution, we need to hold fast to this governance structure.

We were moving in the right direction. For the good of the university we should support this deliberative body.

CHAIR WILLIAM RICH: Any further debate? Senator Blewitt.

SENATOR MARISSA BLEWITT: I had to write it down. Point of information, okay. Mr. Chairman, is there an action step behind this resolution or is it simply an opinion to be brought forth to the UC?

CHAIR WILLIAM RICH: This would formally express the faculty senate's objection to the proposal. It will be presented to the president, as all legislation is from this body. It may also be referred to by the representatives of the faculty senate to the University Council.

SENATOR MARISSA BLEWITT: Okay.

CHAIR WILLIAM RICH: Other debate on the motion? Senator Matejkovic.

SENATOR MATEJKOVIC: Mr. Chairman, I was wondering if one of the members of the Steering Committee that indicates they were willing to buy into this would be willing to speak to the reasons for the proposals? So far this body has heard the reports of Senators Witt and Lillie and I am curious as to a counterpoint.

CHAIR WILLIAM RICH: And Erickson.

SENATOR MATEJKOVIC: And Erickson. Sorry. Apologize.

CHAIR WILLIAM RICH: Senator Anderson.

SENATOR TURNER ANDERSON: As I guess the only person at the Steering Committee recently and not a member of the committee I can give you a little insight as to what was said yesterday in the meeting SEAC and CPAC brought many concerns as did President Blewitt here from GSG and they also looked at the faculty senate concerns. Basically they read this resolution, talked about how they could more accommodate that. So I think the biggest change that the committee went through last night, if you all read proposed bylaw changes, the coordinating committee was originally composed of one elected member from each committee, which kind of left it up in the air as to who's going to be represented. It could very well end up being six SEAC members or six CPAC members on that committee (inaudible) so one of the constituency groups suggested that each constituency group should be guaranteed two positions on that coordinating committee to be determined by that constituency group to University Council.

So they pretty much completely changed that side of it. And their goal really was to make a good faith gesture that they were attempting to reconcile the concerns that University Council may no longer have representation from certain constituency groups and that there would be no deliberations in that regard.

I can't tell you what they decided as the goal of the committee. I know when I read it it seemed very vague. As far as when I was there that didn't get mentioned. I was admittedly 15 minutes late due to my class running over, but, yeah, so it sounds like their goal, and they're attempting and striving to make some good progress. But I definitely, I understand the concerns of, you know, it does sound like to me, I've only been a member of University Council since about late April. And maybe I missed the golden age of University Council, because that's what I always viewed University Council as something where ideas would come to the committees, you would vote on them and those suggestions would be forwarded. So maybe my experience in my committees right now and what little experience I've had I've missed that part of it, but to me it sounds like almost like their current goal is moving forward with what we have now and maybe trying to make it a little more inclusive. I don't know if their steps will do that any better than what we have now. I can't say that. But from my eyes what we have right now doesn't seem like, to be working better than something we could change it to.

Maybe Dr. Hajjafar can say something different but at least in our Finance Committee I think every week we say something to the effect, what are we doing here? Because people don't feel like we're doing anything active. So to me at this point any change is good change, because maybe we'll start to get it to a point where people view University Council as more of a deliberative body rather than sitting around the table talking about our opinions and nothing happens.

CHAIR WILLIAM RICH: Can I just ask you a question for clarification? I think you said earlier but I've forgotten. When was this meeting of the Steering Committee?

SENATOR TURNER ANDERSON: Yesterday from three to five.

CHAIR WILLIAM RICH: So did I understand you correctly to say, was my understanding correct that you said that the Steering Committee made or proposed changes to the document as it was presented to them?

SENATOR TURNER ANDERSON: Correct.

CHAIR WILLIAM RICH: So whatever it is the Steering Committee did is not what, was not reflected in the document on the website that we've all

SENATOR TURNER ANDERSON: Correct. The goal the Steering Committee put out was that the (inaudible) would send out the revised proposed bylaws by either tonight or tomorrow.

CHAIR WILLIAM RICH: To be voted on Tuesday.

SENATOR TURNER ANDERSON: To be voted on Tuesday.

CHAIR WILLIAM RICH: Senator Blewitt.

SENATOR MARISSA BLEWITT: I just wanted to add in the original E mail that some of you have quoted, it did ask for feedback. I guess I saw that as a way to make suggestions or amendments to the bylaws. So I think that's what they met to, the Steering Committee met to go over those suggestions to the proposed bylaws. That was my understanding.

CHAIR WILLIAM RICH: So this is the most peculiar deliberative process.

SENATOR DAVID WITT: And our objection is simply that the University Council as it sits now before any proposed changes has hardly had a chance to develop into any kind of body. We've been at it essentially for about a year. And we spent that whole year hammering out bylaws that were required of us, you know, in order to proceed. So this would have been the year that we can start to you know, grow some teeth and come into our own a little bit. This would take a little bit of time and a little bit of developmental time. As Senator Sterns points out in the Higher Learning Commission report, you need to watch it and sort of shepherd it along as best we can. But to pull the rug completely out from under it, I don't care what kind of

representation you have, on a coordinating committee if it meets twice a year it's gonna be ineffective by definition.

CHAIR WILLIAM RICH: I think what meets twice a year is all of the eight committees jointly.

SENATOR DAVID WITT: The coordinating committee is what I'm talking about.

CHAIR WILLIAM RICH: The coordinating committee is a small body, okay? That's not the body that meets twice a year. The body that would meet is, that's a joint meeting of all of the committees. I read the document.

SENATOR ELIZABETH ERICKSON: I've read it too.

CHAIR WILLIAM RICH: It may be different now, but I read it yesterday. Senator Erickson.

SENATOR ELIZABETH ERICKSON: I had been talking a little bit to the SEAC people and I have a version of what they were thinking of doing but it didn't, the coordinating body is supposed to just coordinate. It says the coordinating committee will assure the work of the committees aligns with long term and strategic planning, will annually produce a report that includes a summary of the business of each standing committee, summarizes the disposition of recommendations, reports on an assessment of the effectiveness of the governance process. That doesn't ever mean that, and all we've done is make it from four to eight. Do I think that it may be possible to turn that, if you made it big enough, into some kind of partially legislative body? Perhaps.

But we have a function and this, this is not a description of a deliberative legislative body of any kind. And it just says it will ensure that the council meetings are convened and so on, and that it will maintain the operating protocols. And then they wanted to change the composition to have four, I think, rather than it works from at least

CHAIR WILLIAM RICH: Senator Erickson, I'm concerned about the time. It's four minutes to 5:00 and I think we need to proceed if possible. Are you willing to vote on the motion? Hearing no objections, all those in favor of the resolution, please signify by saying aye.

MANY SENATORS: Aye.

CHAIR WILLIAM RICH: Opposed by opposite sign. Motion carries without dissent. Is there anything for the good of the order? Any other new business? Senator Witt?

SENATOR DAVID WITT: For the good of this resolution, I guess, and that would be that as we keep an eye on this as it moves forward we'll report back to you. But I for one think that as long as we have discussions within the University of Akron here, we're really not going to get anywhere in terms of shared governance. Many of us in this room and other places have been at the shared governance idea for about 15 years now, and we're just as far away from that concept as we were 15 years ago. And that's all I want to say right now. But there are places that we can

inform about the progress here. And I'm willing to talk about those at any time when someone wants to hear about it.

CHAIR WILLIAM RICH: Okay. Anything else for the good of the order? I take it you are ready to adjourn? All those in favor of adjournment signify by saying aye.

MANY SENATORS: Aye.

CHAIR WILLIAM RICH: Opposed by opposite sign. We stand adjourned.