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**Chronicle**

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a report to the faculty of  
the university of akron



March 3, 2011

25 pages

## **SENATE ACTIONS**

- Passed a resolution naming the Maurice Morton Institute of Polymer Science and Polymer Engineering ..... 12
- Passed a resolution approving changes to University Rule 3359-20-05.1 ..... 13
- Passed a resolution in opposition to SB 5 ..... 17

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Any comments concerning the contents in *The University of Akron Chronicle* may be directed to the Secretary, Frank Bove (x5104).

**facultysenate@uakron.edu**

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## Minutes of the Faculty Senate Meeting of February 3, 2011

The regular meeting of the Faculty Senate took place Thursday, February 3, 2011 in Room 201 of Buckingham. Senate Chair Harvey Sterns called the meeting to order at 3:04 p.m.

Of the current roster of sixty-eight Senators, 45 were present for this meeting. Senators Barrett, Cheh, Cushing, Elliott, Hamed, C. Miller, J. Miller, Andrew Thomas and Tim Vierheller were absent with notice. Senators DeMarco, Ducharme, Kruse, Marich, Miller-Motley, Neighorn, Newton, Queener, Ritchey, Rostedt, Slusarczyk, Speers, Wilson and Yi were absent without notice.

**I. Approval of the Agenda** - Chair Sterns I'd like to begin with the approval of the agenda. Are there any additions to the agenda? Senator Barrett.

Senator Barrett: Yes I have a resolution I'd like to introduce under New Business.

Chair Sterns: Okay, with no objection that will be added to the agenda.

Chair Sterns called for a motion to approve the agenda. **The motion was made, seconded and approved.**

### **II. Chairman's Remarks and Announcements**

Chair Sterns – Ladies and Gentlemen - as I was getting ready for this meeting I was made aware that today was certainly a day of contrasts. On one side of my desk was tomorrow's *Chronicle of Higher Education* with the article on state lawmakers seeking more say over colleges and on the right was the draft of our Strategic Plan. Let me start by saying a few things about this article. As we all are very aware, state legislators are looking at a number of issues. I'm going to quote here: "But some lawmakers apparently imagine as common place, excesses of faculty employment, six figure salaries, light teaching loads, frequent sabbaticals on far away islands..." That certainly describes my one sabbatical in forty years situation. Also, the fact that there are various numbers of legislative bodies looking into various state's systems of higher education. I invite you to look at this article.

One emerging issue is that tenure is coming under fire, for instance in Utah. Another emerging issue refers to teaching loads and teaching hours. To quote one, "I think we need to have professors in the classroom and not on sabbatical, out researching and doing things to that effect." Which I thought was very interesting because we want to always maintain that balance between research and teaching.

Another little quote here, "In this economic environment, measures to reign in the faculty are a reflection of lawmaker's notions that higher education has not done its part to control its own spending or limit tuition increases." This is Frederick M. Hess, a higher education expert with a libertarian-leaning enterprise institute. He, for one, believes that colleges have to do more to help states operate within their means; as though this may not have already happened to us. On other matters, colleges should self-regulate and question whether legislators have the right to micro-manage campus policies. And finally, he put the blame on professors and faculty members that have worked far too long in isolation and done a poor job of communicating how many hours they actually put in.

I mentioned this *Chronicle of Higher Education* article, which is currently in our mailboxes, because I think in some respects we're seeing an assault on the academy. Something in my many years in education I had not seen. And perhaps there is always some correctness to this, but in many respects it is mean-spirited and totally inappropriate. I hope, and this is the reason why I brought this to this meeting today. I hope that as we continue to work on our own local planning, on Vision 2020 - the new Gold Standard document, that our own local role as faculty and interaction with our campus leadership, that we will not let this negativism affect our ongoing development of positive outcomes on our own campus. That we will not let this color us into thinking in ways that are extremely restricted when we should be thinking in ways that are extremely global and in a growth mode. We have to be realistic to the changes around us, but at the same time I'm very concerned that this whole set of activities could greatly sour our environment. So I hope that you will join me in trying to rise above this current situation and not let it affect the good work that we can do together as colleagues. I wish I were on this desert island on sabbatical; it would have been especially nice last Friday.

So, I'm sure everyone is reading different newspapers and this is serious business. If you look at the history of higher education, it is in the mid 1960s that there was a major change in the role of the professorate when there was a dramatic increase in aligning faculty responsibilities and salaries in a way that they had not been in the previous period. The idea that faculty should live in genteel poverty was a concept of the past. I hate to think that we lived through the golden age of higher education, because it wasn't that great. But the last thirty or so years may have been one of the best times that we've had.

I think the next period of time will require individual and collective creativity to work our way through this. Normally, I don't try to engage in this kind of political rhetoric, but I just was struck at the contrast that we are facing in this period of time.

Okay, the minutes of February 3<sup>rd</sup> are not yet ready for final review. As you know, we just talked Frank into the role of Secretary. So, he's getting into it. And I think we'll probably be able to circulate within the next week at least the electronic version. I know your life will survive without having that set of minutes, we can approve them next time. Under Special Announcements, an attendance sheet from the February meeting was not returned. Attendance may not be correct. When you get your minutes and you were present but you weren't marked as present, all you need to do is let Heather know and she will correct the attendance roster. And for those of you who are stealing attendance sheets from the Faculty Senate, believe me there are better things to do. Okay, at this point I think I will call upon the Executive Committee report. Secretary Bove.

### **III. Reports**

**Executive Committee** - Frank Bove: Thank you Chair Sterns. The Executive Committee held two meetings during the month of February. Our first meeting on the 17<sup>th</sup> began with an extensive discussion on how to improve the efficiencies of the Faculty Senate office. A main point of discussion revolved around improving the Faculty Senate website by migrating to the new dotCMS management system, updating the existing content and establishing processes that will assure regular posting of updated Senate and Committee content for university users. We hope to unveil the new and improved Faculty Senate website by the end of March.

At the same meeting, Senator Sterns announced he had received a letter from a faculty member denied tenure. The EC discussed the matter and referred the issue to the Faculty Rights and Responsibilities Committee to review.

The EC also discussed what processes were in place for reviewing the Dean of the Graduate School, how the allocation of graduate assistantships is distributed, and the Curriculum Rule referred to the EC at the February meeting. The EC also established preliminary agendas for the meeting with the President and Provost on the 22<sup>nd</sup> as well as the March 3<sup>rd</sup> Senate meeting.

On February 22<sup>nd</sup> the EC met to review the items for discussion with the President and Provost scheduled for later that afternoon. The EC met with the Provost and Associate Provost for Academic Operations. The President was not in attendance for the entire meeting as he was involved with President Obama's "Winning the Future Forum" at Cleveland State University. He did join us at the end of our session and spoke candidly and positively about the Forum.

The EC discussed the allocation of Graduate assistantships with the Provost. He reported that the Deans have been apprised to move forward and to anticipate that 90% of the funding will be available. As we moved to the discussion on the process for review of the Dean of the Graduate School, the Provost reported that the Dean of the Graduate School is reviewed annually by the President as a VP/Dean. The Provost commented further that during the 2010/2011 academic year he has focused his concentration on undergraduate education and he will turn to graduate education matters during the 2011/2012 academic year.

We also discussed the timeline for the implementation of University Council. The Provost hopes to start populating committees this spring, and move to a "test mode" by the end of the semester with the objective being to fully implement University Council in the fall of 2011.

We also discussed the release of faculty positions. The Provost is currently reviewing such requests with the Deans. Priorities will be based on departmental capacity, alignment with the university strategic plan, and the state budget situation.

The Provost also commented on the progress of the discussions regarding the convergence of the College of Arts & Sciences and the College of Creative & Professional Arts. He also shared with the EC his timeline for sculpting the Vision 2020 narrative through constituent discussions, feedback and revisions with the hope of presenting the final narrative to the Board of Trustees for approval in June.

Finally, the Provost invited Dr. Roberta DePompei to the discussion. Dr. DePompei stressed the importance of creating a new college of health. Much of the previous contention revolved around disagreements on what to name the new college. It was discussed that a vote from the faculty supporting the principle of creating the new college might help expedite the process. This concludes my report. Are there any questions? Thank you very much.

Chair Sterns: Well, now we've been hearing from the minutes various remarks from the Provost, but we have the opportunity to have him right here with us live. So let me call upon Mike Sherman to give his remarks.

**Remarks of the Provost - Provost Sherman:** Thank you Chair Sterns. Thank you Chair Sterns. Thank you, Professor Bove, for giving my remarks. I won't let you off that easily. The President sends his best wishes and warm regards and wishes he were here today, but he's on his way out of town to interact with the Chairperson of the Board to discuss modification of the committee structure of the Board, the approaches to populating agendas of the Board and the Board committees, and a general discussion for how to bring the Board's table issues and policies and perspectives that at a high level have very important implications for the progress and projectory of success for The University of Akron. So, we'll look forward to the results of that interaction.

I wanted to comment on a couple of items that we did discuss with the Faculty Senate Executive Committee. One of which is to comment on the discussions related to the convergence of the Buchtel College of Arts and Sciences and the College of Creative and Professional Arts. First, I'd like to point out that we're following the process and the schedule that we reviewed at the last meeting and as such Dean Midha, Neil Sapienza and John Zipp have met with the faculty of all four schools of the School of Creative and Professional Arts through the months of January and February addressing issues and answering questions and making notes of questions that, at that point in time, could not be answered. But at the end of every meeting the question was raised if there should be a continuation of conversations to the proposed convergence. Each school showed overwhelming support for continuing those discussions.

Next, on February 22<sup>nd</sup>, we were pleased to have the opportunity to interact with about 140 faculty from both of the colleges; which is a tremendous turnout, remarkably candid, collegiate, respectful, and open. The attendance was just greatly appreciated; especially, on a day that faculty didn't have to be at the university. This obviously indicates the importance of the conversation to everyone. Again, at that meeting Dean Midha and myself responded to questions, addressed issues, made points, and noted questions that couldn't be answered at that point in time. But again we asked about continuing the conversation related to convergence and while there were some points of view that weren't necessarily favorable, they thought the conversation should continue. It was vastly overwhelming that the conversation should continue. What has happened since then, however, is that Dean Midha has created a diverse committee of about five faculty from each college and they've been asked to address issues and concerns that need to be considered as the convergence discussions continue in such a way that those concerns that are raised can be legitimately addressed. I want to point out that from my point of view legitimate concerns don't include perspectives that they don't want to do it, don't include perspectives that it's happening too fast. Rather, legitimate concerns are those regarding academic program quality, the potential for our students to progress through their degree programs and graduate. The impairment perhaps of the ability for faculty to carry out their teaching, research and service responsibilities, however, would be legitimate concerns to raise and to assure that we have the answers to. You know obviously there isn't going to be a 100% for every adjustment to an organization such as The University of Akron and, frankly, I initiated the convergence sessions anticipating that while there will be some bumps that the end result will be that we'll find it appropriate to converge the two colleges for the right academic reasons for supporting the success of The University of Akron.

Related to that, and as you heard, Professor DePompeii had an interaction with the Faculty Senate Executive Committee about the conversations that have been underway for the last years between and amongst the College of Nursing faculty and staff and the College of Health Sciences and Human Services faculty and staff. And while she did indicate that the biggest issue will be the name of such a college there was or is overwhelming faculty support to move such an agenda forward. Given the fact that we're progressing through discussions of such organizational adjustments by asking the faculty to indicate in principle, at different points in time, should we continue to explore, in principle, progress towards such an adjusted organization. I've determined that I will call a meeting. I have called a meeting of the two colleges for next Tuesday at which we will have the kind of conversations that took place with the College of Creative and Professional Arts and the College of Arts and Sciences at which point in time, at the end of the meeting, I will ask the faculty about their interest and willingness to have a conversation about their becoming members of the faculty of a college of health.

I think we must create a college of health to leverage the as of yet unrealized opportunities that exist in this area in consideration of the strengths that already exist in this area at this university. But also with an eye towards the future of expanding the role and the collaboration with ABI, with NEOUCOM, and with the three major hospital systems in Akron and those others in Northeast Ohio. I will pursue that conversation with the full intent of having an interim director or dean in place perhaps as early as July 1<sup>st</sup> for this college, with a commitment that we will have a dean in place for this college a year from this July. So, that is the trajectory that is in the viewfinder and that is the goal and objective for those conversations.

Finally, as Professor Bove noted, we're continuing conversations related to Vision 2020. I know there's been a little gap in those conversations, but we've gone through a process of moving Vision 2020, as some of you have seen the tiered PowerPoint presentation, to an actual narrative. And tomorrow morning I'm meeting with the steering committee of the Strategic Planning process along with the Office of Academic Affairs. I will receive feedback from the Vice Presidents by the end of the day tomorrow that will produce an adjustment to that narrative. It's my intent through March to then have interactions with different constituency groups to secure feedback on the narrative version of Vision 2020; such as, meeting with the Faculty Senate Executive Committee, Council of Deans, Department Chairs and School Directors, Provost's Advisory Committee and others to further enhance and improve Vision 2020's narrative with the intent then that the penultimate draft will be released to the university for comment during April as we did last year with the penultimate kind of draft of goals at a very high level, but obviously this time before the semester has ended. Such that before the faculty leave, we will have received input on the narrative portion of Vision 2020. Depending on the feedback, we may choose to also have a couple of university-wide conversations or work sessions to further adjust that narrative. During this period of time we'll be interacting with the Board to determine how they would like to proceed to have, as our objective, the Board's endorsement of Vision 2020 no later than the end of this fiscal year, so that going into the next academic year we have a Board endorsed strategic plan.

So, I think with that I will end my comments and only note again that when we make decisions to close the university, as we did last Friday, we do that in full consideration of the safety of our faculty and staff and students both on this campus and attempting to come to this campus. It was unfortunate we had to make that decision as Dr. Sterns was to have the celebration and symposium related to the 35<sup>th</sup> anniversary of The Institute for Lifespan Development and Gerontology. You might have noted that we waited as long as

we could to make the call, particularly in consideration of that fact, but it was necessary as I think you probably saw to make that decision. Again, we will try to make that decision as early as possible so individuals don't end up being on the road and finding out while they're on the road that we have closed. So thank you Chair Sterns.

Chair Sterns: Are there any questions?

Senator Prichard: Does a comment count?

Chair Sterns: Yes, Senator Prichard.

Senator Prichard: Hi, I'm with the Department of Dance, Theatre and Arts Administration and I just have two comments. I think one having to do with issues of interpretation. And this also has to do, I'm sorry, with the merger of Buchtel College of Arts and CCPA. At the last meeting, we had heard Dean Midha say that he had met with every department and at the end of that there was overwhelming support to go forward. I think all of us looked around at one point because there was never a sense in which we thought that that's what had happened. I think he had asked a very specific question about the timeline and we responded to a question about the timeline, and then that was interpreted as overwhelming support. I think that happened again at the last meeting. I think just now you said there was overwhelming support to move forward and I'm not sure that was actually the experience of many of us who were there. I do want to say, just to be clear where I'm coming from, I am very optimistic about this and I feel that this could be a really good thing. But I keep waiting to hear what the reasons as to why this is going to be a really good thing. I really appreciate you saying, "Well, I don't want to do it" or "It's moving too fast" are not legitimate reasons to move forward. At the same time, I feel like it's not a legitimate reason to say we're going to do this because of what OSU did. And so I feel like I keep waiting to hear, and because I am optimistic about this, why we're doing it and I still haven't quite felt like I've gotten enough to really be able to sink my teeth into.

Provost Sherman: Perhaps I should have said there's support in the context of proceeding with the conversation using the guideline and the timeline that was proposed for the exploratory conversations. So if I said support for the convergence, I meant to say support for continuing the conversation along the lines of the timeline. And then in terms of the rationale, I could lay out the rationale from a management perspective. But the timeline is really established to allow the academic conversations to create the answer to the question you're looking for. Dean Midha if you have anything to add?

Chair Sterns: Permission for Dean Midha to speak. (no objection)

Dean Midha: I went to all the schools, I had the timeline in front of me, and I asked, "Should we continue exploring that thing?" That's where I'm saying there was overwhelming response. In fact, in two departments there was applause at the end of the meeting. On February 22<sup>nd</sup>, which Mike was referencing, we tried to give information in terms of the budget, where we are, but we talked about it in terms of having one dean and having savings coming from that and going back to the college in terms of faculty lines. When there was some concerns, I was asked by those people if we would have a straw vote as to whether we

are going to go with the convergence or not. And I said, "Yes," I would ask that. Someone said we should not vote like this and I said don't raise hands, but make some noise that we should continue with this or not, and based on the response we felt that most people are saying move with it. And where I did not hear that, in light of the question, I said, "What are the concerns? Let's talk about it." And when we did not hear anything, we said we will form a committee which will listen to the concerns and move from there and that's exactly what we are doing. I will also tell you that twenty volunteers stepped up and said that we want to work on that committee. And we have formed a committee of ten people, keeping in mind to balance the rank and disciplines. We have got at least one member from every school from Creative and Professional Arts and we have got at least one member from each division of College of Arts and Sciences. And we have scheduled two meetings next week to accommodate everyone's teaching schedule. So, we are going to do our best to listen to the concerns and then try to address those concerns. If I will not be able to address those concerns, I will seek advice from the Provost and we'll go from there.

Chair Sterns: Senator Erickson.

Senator Erickson: The timeline was brought and discussed at Buchtel College Council, the elected advisory committee for the college, that after the 11<sup>th</sup> there were to be ad hoc committees. Those ad hoc committees needed to be elected members and it should be done through the advisory committee. We found that at our last BCC meeting we were unsure of what exploring convergence meant. As far as I'm concerned, looking at exploring convergence means we look at the question we're answering, "What are the real advantages of convergence?" I think we need to create a vision that's not just going to save costs. I might be an economist, but I know you have to have an objective function and it's not just to reduce cost. You want to do something, and I'm sure, as creative people, Fine and Applied Arts wants to see it be creative and that's our job to think through that. And so exploring convergence seems to be about working out a vision. Let's see if we can work out to see if there are diseconomies of scale or economies of scale. Are there ways of reducing the per unit cost or would it increase it? Before you get to, 'Okay we're going to go ahead with it,' we have to see how we're going to work out RTP, what are we going to do about language, and all those kinds of second level details. As I understood it, exploring convergence meant that you were going to be dealing with these overall major questions. My understanding, it was BCC's understanding as well, of the majority of people who were there, was that the volunteer committee being set up was to collect all those different concerns and then those would be discussed by these ad hoc committees. At this meeting, it was clear that exploring convergence was not as clear a definition as what was involved. So we were asked to find out from the Provost what's his definition of exploring convergence? Because I think it might help in our process of trying to see what each group is doing and make clear what you have in mind.

Provost Sherman: I'm going to let Chand answer that question because I haven't been at the majority of the meetings you're referring to, of that council.

Senator Erickson: What does explore convergence mean?

Provost Sherman: Well I think the timeline illustrates the two components that you're asking.

Senator Erickson: Except it just says ad hoc committee.

Chand Midha: I have said all along; the process is evolving. I went to BCC to explain to them the timeline. Prior to that I had gone to the Executive Committee and they advised that I should insert the reasons why. That also came up at the BCC meeting when I said we'd have one meeting of the faculty from two colleges. The question being asked now, about how we will make sure that all faculty can attend because people are teaching at different times as there would be no good time; I can tell you in the history of the 28 years I've been here that that was the largest meeting attended by the faculty at one time, on February 22<sup>nd</sup>. This idea originated after the BCC meeting as to whether we can have a meeting on that day and will faculty come? I'm very happy to say that when you read the article in the Chronicle saying that faculty doesn't come, faculty came that day and that was a rough Monday night because of the weather.

I was wondering should I cancel this meeting and reschedule it. 147 people said that they would come and out of the 147, 140 came. So we added that into the equation to hear the concerns. As far as the other committees are concerned, I have said repeatedly that there are not going to be any changes in the curriculum. There are not going to be any changes in RTP requirements. However, procedurally we have some things at the college level, like the BCC mentioned, regarding RTP at the college level when there is a split decision between the faculty and the chair. Likewise, in CPA we want to bring those members together with some elected members and some appointed members. For example we have 15 members on BCC and not every member on that committee is elected. There are members in CPA that will need to be elected and some appointed. So that was our plan and we still want to follow that plan, but this meeting we added in between was to make sure we hear from as many people as possible. So that's the process we are going to follow.

Chair Sterns: Further comments? Yes, Senator Scotto.

Senator Scotto: Chair Sterns, I'm from the College of Nursing and we have been having many meetings and ad hoc committees and discussions with the College of Health Science and Human Services. We've met our colleagues and it has been a wonderful experience. We didn't have any timelines and in fact we didn't have too much except for the goal to go and envision our convergence and we did a lot of envisioning. We envisioned amazing things that can never happen because of the restrictions of the College of Nursing and that sort of thing. We spent so much time doing this and we got cookies too, which I love. We know why we're doing this, but we don't know what we're supposed to do. We've spent hours sitting in rooms saying let's imagine our strengths and our weaknesses. Well, if you ask for my strengths and my weaknesses as a teacher they would be very different from the strengths and weaknesses as a parent or a friend and we just don't really know what we're supposed to do. We've had many meetings and made many lists and we don't know what we're supposed to do. I have no doubt that we can do it and I have no doubt that we know why we're supposed to do it. If someone would just tell us what to do, I'm sure that we could and we would.

Provost Sherman: Very good. On Monday we'll have a meeting to establish the timeline for doing exactly what you're asking to have happen. And a commitment to a timeline for having a permanent dean. So hopefully we'll address your very legitimate observations on Monday.

Chair Sterns: Anything else for the Provost? If not, thank you very much. Now as I'm listening to this, you know English language is a wonderful thing. We have *convergence* but then we could have a *confluence*. Confluence is coming together or we could have a *collision*. So, the question is which of those Cs are we going to choose? A little humor, it's not easy in the Faculty Senate to come up with these little humorous moments.

**Faculty Rights and Responsibilities Committee** - Chair Sterns: Okay. Let me go on to say that the Faculty Rights and Responsibilities Committee has been called. It did receive a formal request and that committee will now come into being to deal with that issue.

**Graduate Council** - Chair Sterns: The next report is on Graduate Council and I think you'll find a report. We have our representatives here if anyone has any questions. Senator Huff and Senator Chyi, who are both serving as representatives, are there any comments to go along with your written report?

Senator Huff: I will answer any questions. We did attend the meeting, we were welcomed, and you'll find a written report.

Chair Sterns: Yes Senator Lillie.

Senator Lillie: Just a technical question, the Graduate Council report appears to be an agenda and also minutes. Is that what it is or is it the report of our representatives?

Chair Sterns: They offered us two formats. A more narrative format or this format. I said I preferred this format, but it was up to them. If you don't like this format, they are perfectly capable of writing full paragraphs. I can attest to that. Is that okay?

Senator Lillie: Chair Sterns has apparently either misunderstood or deliberately decided to change the topic that I'm trying to raise which was that we had been asking for a long time in this body to receive reports from the Graduate Council as is the current Board approved rule structure. So my question was designed to determine whether or not this was a report from the Graduate Council or was it a report from the representatives to Graduate Council? I appreciate the humor very much, very funny and all that, but in this case I would have hoped that we would have stuck to the point.

Chair Sterns: And Senator Lillie is making a very important point. We have now sent our representatives to the Graduate council, but in turn the Graduate Council has to report back to the Senate. So that'll be the next phase in this developmental process. There's supposed to be an official report from the Graduate Council. We've agreed that this will happen, so this is the first step. The next step will be to have that closure. Senator Lillie's point is well taken. We now have Academic Policies Committee.

**Academic Policies Committee** - Senator Barrett: Rex couldn't be here today so I'm filling in. The Academic Policies committee has two resolutions to bring to Faculty Senate. First has to do with merger of the Maurice Morton and the Institute of Polymer Engineering. Our recommendation is as follows: The College of Polymer Science and Polymer Engineering requests approval of a merger of the Maurice Morton Institute of Polymer Science and the Institute of Polymer Engineering to become the Maurice

Morton Institute of Polymer Science and Polymer Engineering. The rational is to eliminate some redundancy in functions. The merger should also help enhance collaborations and stimulate joint research proposals.

So our resolution is:

**BE IT RESOLVED**, that the Academic Policies Committee on January 28, 2011, unanimously recommended the merger of the Maurice Morton Institute of Polymer Science and the Institute of Polymer Engineering to become the Maurice Morton Institute of Polymer Science and Polymer Engineering.

Chair Sterns Called for a vote on the resolution.

**The resolution to merge the institutes passed without opposition.**

Senator Barrett: Our second resolution has to do with the withdrawal policy that we previously discussed.

Our resolution is as follows:

**BE IT RESOLVED**, the Academic Policies Committee recommends changes to the University Rule below, and asks that these changes be approved.

And you should have a copy of the proposed changes.

Chair Sterns: This has come before the body and there has been earlier extensive discussion. Are there any additional issues that anyone would like to raise at this time. Senator Lillie.

Senator Lillie: This is not an issue, but I wanted to compliment all those who've been involved in this. It's been a process that's been going on for about a year. It also involved, as I recall from past discussion, extensive research in order to come up with an appropriate rule. I think this demonstrates the kind of thing that we ought to be doing and that we can do. Thank you.

Chair Sterns: Further discussion. If not, Senator Rich.

Senator Rich: In the same vein as Senator Lillie's remarks, I particularly want to recognize Professor Ethel Wayland for her exhaustive and probably exhausting research on the subject that formed the empirical basis for these revisions, which I think are salutary. I did notice that there were, in the process of making some final changes to this, a few words that got a little bit messed up. These are not substantive changes but under (D)(5) and you'll see the same language repeated in (E)(3) and (F)(9), "this policy shall take effect for all undergraduate students at the beginning of the Fall Semester of 2011, except shall not..." That didn't come out right. It used to be all together in one and whoever made these changes didn't fix the wording of it. So what I'm proposing is that it be amended so that in each one of those three paragraphs that I referred to, we substitute the word "but" for the word "except" and delete the comma preceding it so it would read "shall take effect for all undergraduate students at the beginning of the Fall semester of 2011 but shall not apply to any student..." etc.

Chair Sterns called for a motion to amend the resolution. **The motion was made, seconded and approved.**

Chair Sterns Called for a vote on the resolution.

**The resolution to change University Rule 3359-20-05.1 passed without opposition.**

Chair Sterns: Just as a point of information, some of you may remember that we are in the process of discussing the document that was e-mailed to everyone regarding the verbal document that accompanies the approval process for the curriculum review process and that it was referred at the last meeting to the Executive Committee for further refinement. The Executive Committee is working on that. There've been discussions between myself and Associate Provost Ramsier as well as Senator Rich and Associate Provost Ramsier and we intend to have our final document ready for discussion next month and then we'll be able to have final approval in the May meeting. So for those of you who were wondering what happened with that that's what's happening. Anything from the Athletics Committee?

**Athletics Committee** - Senator Lillie: There's no report, the committee will meet briefly next week to discuss some of the actual positives about the academic program that the athletes are involved in.

Chair Sterns: Now I know the Faculty Research Committee was going to meet on Friday with the review of grants but I don't think that happened because the university was closed. Anything from Student Affairs? Let's turn to Computing and Communications Technology Committee. Senator Bove.

**Computing and Communications Technology Committee** - Senator Bove: I've submitted a written report. I'd be happy to entertain any questions. Just a couple of highlights, we meet monthly during the academic year. In January we invited Kathy Ruther to give us an overview of the telecommunications network on campus that was specifically geared towards evaluating department's telecommunications infrastructure and trying to find cost savings. She gave us a wonderful historical background on how the university came to where it is now, and she also provided several different ways departments can audit their networks for cost savings. If you are interested, you may contact Kathy's department directly and they would be happy to perform a department audit towards those aims. We also met on February 22<sup>nd</sup> with only a few of us that were able to meet. We're continuing our discussion regarding the computer refresh for faculty. We're on our fourth year of the 3-year cycle so at this point there are no new developments. ITS is still gathering and looking through the data to provide us with some options and opportunities. Also, we have the issue we reported to the Senate in December, whether the university has either rules or policies in place that explicitly prohibit downloading student information onto non-university owned machines/equipment. We've contacted the Office of the General Counsel several times but we haven't received a reply. So, I'd like to take this opportunity with Dr. Mallo to see if we can come to some resolution on that. Thank you.

**Representative to Ohio Faculty Council** - Chair Sterns: We'll now turn to the Representative to Ohio Faculty Council report. I received a call from Professor Fenwick this afternoon indicating he was not feeling well. He was teaching his class, but if he didn't feel well he wasn't going to come to us. But you

have two very important reports here; one from the Ohio Faculty Council their resolution in favor of continued state support for the university system of Ohio then on the other side is another one that's very important, the Ohio Faculty Council in support of the proposed changes by STRS. Any comments on either one of these reports? You may notice in the STRS report that the faculty council did endorse these changes. Their last meeting was devoted to discussing the viability of the STRS system and what adjustments had to be made and the members I asked this question to Dr. Fenwick about why they took this position but they were convinced after the presentation that these changes are necessary for the viability of the STRS system. So you are certainly welcome to pursue that further. Any comments or questions for the record? Any other committee reports? If not I will turn to Unfinished Business, we have already said that we would wait until the next meeting so I guess I will now turn to Senator Barrett who has a resolution to present.

**V. New Business** - Senator Barrett: We're passing out a resolution in opposition to Ohio Senate Bill 5. I am introducing this resolution so that we can express opinions relative to this Senate Bill which is potentially damaging both to the collective bargaining process that we enjoy at the University of Akron with our faculty and I believe would also thereby damage higher education as well our ability to recruit new faculty, etcetera.

(Senator Barrett moved that the aforementioned resolution be approved by the Faculty Senate.) The motion was seconded and Chair Stern opened the floor for discussion.

Senator Wilson: Provost Sherman, in light of this I'm wondering if you would be able to comment on how you see Senate Bill 5 having an impact on the faculty at The University of Akron. Would you be able to comment on that today for us?

Provost Sherman: There are great universities with collective bargaining; there are great universities without collective bargaining. From my point of view, it's about creating a climate of support, collegiality, respect, and cooperation. And you do that through transparency and dialogue - with or without collective bargaining. That's my leadership point of view. So that's how I'd respond.

Chair Sterns: Further discussion. Are we ready for a vote on the resolution? Senator Li.

Senator Li: The statement about the weakening, about the need to retain the top faculty seems too focus on the top faculty members, so we may want to rephrase the resolution.

Chair Sterns: Senator Li is raising the point that what do we mean by top faculty members? Can anyone think of a word that might help to clarify?

Senator DiMarco: Quality faculty?

Senator Rich: Quality can be bad of course. There's good quality and bad quality. Let's use high quality or excellent quality.

Chair Sterns; Well I heard the word *excellent*. We need a formal amendment. Yes Senator Newton.

Senator Newton: I like *high quality* better than excellent for some reason. From my perspective, quality speaks better language more than excellence does. And it would be nice if we could insert something in about competition, too, because that clearly speaks their language. But I do like high quality. I'd also like to add a comment. I agree with the Provost, I'm sure there are universities that have collective bargaining that are excellent and those that don't that are also excellent. I think that lots of us have been here before and after collective bargaining arrived at The University of Akron and I would be interested in knowing how you think this bill might impact our relationship. At least from my perspective, this is a much better place since the arrival of collective bargaining and so I'm just wondering. I'm reluctant to see it go or be diminished in any way.

Chair Sterns called for a motion to amend the resolution to substitute “high quality” for the word “top.” **The motion was made, seconded and approved.**

Chair Sterns: Any other discussion on the amended resolution? Yes, Senator Erickson.

Senator Erickson: Just a little bit in response to Senator Newton. This resolution, I think, is about our right to have collective bargaining. We decided as a faculty that we wanted it. We could have decided just as well as we had the previous vote to vote against it. I think this is about our ability to have the right to decide, not whether we should have collective bargaining or not have collective bargaining. It's about our right to make that decision ourselves and not have it made for us. That's my understanding, and I think it's a different situation than the one you were talking about.

Senator Newton: And it is and I inserted an editorial comment in there, which kind of got things started and I do apologize. I agree with you completely.

Chair Sterns: Other comments? Senator Lazar and then Senator Elliott.

Senator Lazar: Thank you. This is an inquiry; I read an article this morning that was saying that the amended Senate Bill 5 included a statement that would withhold collective bargaining from the faculty on the basis of the Yeshiva ruling, saying that the faculty were managers. One of the points of this article was the fact that we as a faculty senate put us in that management category. If my understanding is correct, being the Faculty Senate, should we make a statement about what exactly the role of the faculty senate is? Maybe this is more appropriate somewhere else, but I don't know how many statements we would like to issue. You may want to use this as a time to educate folks as to what exactly the faculty senate is. If that's something more appropriate somewhere else or not appropriate at all, it's just an idea I had that I thought might work here.

Chair Sterns: It's a good point. The Yeshiva ruling has been looked at very carefully by our Attorney General, Mr. Mallo. Would you care to comment on how faculty have been classified at The University of Akron in light of the Yeshiva ruling?

Mr. Mallo: No.

Chair Sterns: Okay, I tried to get a knowledgeable person to comment, if not I'll continue. We have not been defined as management at The University of Akron. We have academic decision making powers and we make recommendations.

Senator Elliott: Being the Treasurer of the Akron AAUP, the guy who writes the checks to the lawyers and the arbitrators and those kinds of people, and sort of witnessing the way the process has occurred over the last year, I would hope that we can all get along. But when you look at some of the unfair labor practices that we've had to file and the arbitrators that we've had to pay, that hasn't been the history of late. And if we haven't fought tooth and nail on everyone of these issues, then things would have not gone in a very rational fashion. To the best of my recollection, every time a ULP has been filed when there was a finding issued it finally reached a judgment, it was found in our favor. So it says that we do need a referee at this point in our relationship and that's why I'm in favor of this resolution.

Chair Sterns: We had other comments? Senator Lillie.

Senator Lillie: I just wanted to point out that perhaps Senator Lazar was referring to either the e-mail we received from the Ohio Council of the AAUP which also had a passage in the law which referred and was interpreted by those folks as having the effect of classifying us as managerial employees because we have a faculty senate. Since the law hasn't been passed that's really something that is sort of to-be-considered, but is not relevant to this particular resolution. But I would also rise in favor of the resolution because I've had the experience of both a very effective faculty senate the first time I was elected to be on it and I've had the experience of less effective faculty senates when we at the AAUP had the meeting to determine whether or not we wanted to move forward with a card campaign. I was the person who made the motion to do so. No organization is perfect, but I think on balance what we heard about a referee is an extremely important point. And so to repeat, I am in favor of this resolution.

Chair Sterns: Senator Rich did you have another comment?

Senator Rich: This seems to me to be a fairly simple proposition. I don't think we should get too bogged down in whatever the details of SB5 happen to be right now because they are subject to change. It's the thrust of the bill that we should focus on and the thrust of the bill is to severely limit collective bargaining rights for public employees, and so I think the question for this body is whether it wishes to express its opposition to legislation that does that. Let's keep it simple.

### **The resolution opposing Ohio Senate Bill 5 passed without opposition.**

**VI. Good of the Order-** Senator Lillie: Last night I went to the women's basketball game and unfortunately our women lost to Kent State. After the game I went to my car and I was in the Exchange Deck on one of the ramps between two and three, I got about six feet away from the car and I noticed that the window had been smashed in. It was the passenger side window. And for those of you who have had that experience it's pretty disturbing when it occurs. I did want to say that I got in touch with the UA police and they did a fantastic job in coming out to take a report. I want to commend Officer Barath for that. A man by the name of Chris Wandell came out and helped to vacuum up the broken glass that was in the car and

around it. So I wanted the folks to know that while it was a bad experience and I hope never to have to go through it again, there were some strong support from the University Police and from the Physical Plant and I don't know if it's connected or not but I think both are unionized.

**VII. Adjournment -Chair Sterns called for a motion to adjourn.**

**The motion was made, seconded and passed without opposition.**

**The meeting adjourned at 4:18 pm**

*Verbatim transcript prepared by Heather Loughney*

**APPENDICES TO MINUTES**

**FACULTY SENATE MEETING OF MARCH 3, 2011**

**APPENDIX A**  
**THE UNIVERSITY OF AKRON**

**Academic Policies Committee Recommendation**

**Merging Maurice Morton Institute of Polymer Science and Institute of Polymer Engineering**

The College of Polymer Science and Polymer Engineering requests approval of a merger of the Maurice Morton Institute of Polymer Science and the Institute of Polymer Engineering to become the Maurice Morton Institute of Polymer Science and Polymer Engineering. The rationale is to eliminate some redundancy in functions. The merger should also help enhance collaborations and stimulate joint research proposals.

**RESOLUTION: 3-3-11**

BE IT RESOLVED, that the Academic Policies Committee on January 28, 2011, unanimously recommended the merger of the Maurice Morton Institute of Polymer Science and the Institute of Polymer Engineering to become the Maurice Morton Institute of Polymer Science and Polymer Engineering.

**APPENDIX B**  
**THE UNIVERSITY OF AKRON**  
**RESOLUTION 3 - - 11**

Pertaining to the Approval of the Following Recommendation

BE IT RESOLVED, the Academic Policies Committee recommends changes to the University Rule below, and asks that these changes be approved.

3359-20-05.1 Grading system, discipline, academic probation and dismissal.

## **APPENDIX C**

Graduate Council Meeting  
Monday, February 28, 2011  
Student Union, Room 314  
10:00 am-10:30 am

1. Call to Order
2. Roll Call
3. Comments

Dr. Tausig-Graduate School is only responsible for distributing assistant funds to each college. Each college has its own guideline in redistributing the funds. Due to budget concerns, the college has been notified only to use 90% of the fund for this fiscal year.

Dr. NewKome-There could be a federal funding hiatus. In this case, the funding of federal projects to be funded by NSF, NIH, DOD, and ...could be delayed.

4. Approval of Minutes of January 24, 2011 meeting
5. Committee Reports

Graduate Faculty Membership Committee-Approve 25 faculty members (21 category II and 4 category I)

Curriculum Committ-approve one course proposal from Health Sciences& Human Services, 15 more proposals are in the mill.

6. Old Business
7. New Business

Chyi-Faculty Senate decided to exercise its right as stipulated in the By-Law to send two representatives to Graduate Council.

8. The meeting adjourned at 10:30 am

## **APPENDIX D**

### CCTC Report to Faculty Senate March 3, 2011

CCTC has met twice this semester, on January 24<sup>th</sup> & February 22<sup>nd</sup>, and will continue to meet monthly for the remainder of the academic year.

On January 24<sup>th</sup> CCTC invited Kathie Ruther, Director of Networking and Telecommunications, to the committee meeting to discuss with us the nature of telecommunications across the campus. Her presentation was very informative. She highlighted ways in which departments can uncover cost savings by undergoing a telecom-audit with help from her department.

On February 22<sup>nd</sup> CCTC continued the discussion of faculty computer refresh. ITS is still gathering and exploring data in order to define options.

We also discussed the issue reported to the Senate in December regarding whether or not university rules or policies exist that expressly prohibit the downloading of student information onto non-university owned (non-encrypted) machines. After several inquiries to the Office of General Counsel, we have yet to receive a reply.

CCTC would also like to encourage feedback from the university community to the committee regarding academic computing and communication concerns. You may contact the Chair at [fjbove@uakron.edu](mailto:fjbove@uakron.edu) or x5104.

Respectfully submitted,  
Frank J. Bove, Chair

## **APPENDIX E**



### **OHIO FACULTY COUNCIL RESOLUTION IN SUPPORT OF PROPOSED CHANGES BY STRS**

**WHEREAS** economic conditions and a significant budget deficit in the State of Ohio warrant the proposal of stringent adjustments to the defined benefit plan for Ohio public school and university teachers covered by the State Teachers Retirement System;

**WHEREAS** the long-term viability and fiscal sustainability of a defined benefit pension plan is a major economic driver for Ohio and is essential for providing the primary retirement income for Ohio teachers;

**WHEREAS** the proposed adjustments will bring STRS Ohio into compliance with a 30-year funding period, thereby assuring the long-term solvency of STRS; and

**WHEREAS** the Ohio Faculty Council acknowledges that the proposed changes to the STRS system will likely be detrimental to the retirement incomes of all Ohio teachers who retire after 2012, but also acknowledges that under the circumstances, this is a painful yet reasonable set of recommendations that will strengthen the financial condition of STRS;

**BE IT RESOLVED** that the Ohio Faculty Council supports the proposed plan adopted on January 27, 2011, by the STRS Retirement Board

This resolution was passed unanimously by Ohio Faculty Council at its monthly meeting on February 11, 2011.

Sincerely,

Dr. Rudy Fenwick  
Chair, Ohio Faculty Council

Department of Sociology  
The University of Akron  
Akron, OH 44325-1905  
330.972-6880  
[fenwick@uakron.edu](mailto:fenwick@uakron.edu)

**OHIO FACULTY COUNCIL**

OFC Meeting •February 11, 2011

## **APPENDIX F**

### **The Ohio Faculty Council**

#### **OHIO FACULTY COUNCIL RESOLUTION IN FAVOR OF CONTINUED STATE SUPPORT FOR THE UNIVERSITY SYSTEM OF OHIO**

*Whereas, Ohio's institutions of higher education contribute to the state's economy by educating and graduating students, thus increasing the stock of human capital, workforce skills and talent as well as the individual incomes of its graduates;*

*Whereas, Ohio's institutions of higher education contribute to the state's economy by bringing in over \$1 billion annually in research dollars which also produce innovative products and services that contribute to entrepreneurship;*

*Whereas, Ohio's institutions of higher education provide a wide array of services and activities that contribute to communities' health, well-being and quality of life that attract new businesses;*

*Whereas, the University System of Ohio lays out a systematic plan for increasing graduation rates, research activities and community services for Ohio community colleges and universities, thus increasing the State's economic resources;*

*Be it resolved: that the Ohio Faculty Council urges Governor Kasich and both houses of the Ohio legislature to continue the record of bipartisan support for the University System of Ohio plan;*

*And be it further resolved: that the Ohio Faculty Council urges Governor Kasich and the Ohio legislature to continue the state's commitment to provide the level of financial support to enable the University System of Ohio to meet its goals and thus continue to be a crucial part of economic development and job growth in Ohio.*

#### **OHIO FACULTY COUNCIL RESOLUTION**

- March 1, 2011

## **APPENDIX G**

### **A Resolution Opposing Ohio Senate Bill 5**

WHEREAS: The faculty and staff of our state universities are being unfairly blamed for Ohio's budget deficit, and

WHEREAS: Abundant evidence indicates that the practice of collective bargaining in higher education has not contributed to the state's deficit, and

WHEREAS: The weakening or elimination of collective bargaining rights will reduce the ability of departments to recruit and retain high quality faculty and will have a negative effect on employment conditions and the quality of students' educational experiences, and

WHEREAS: Ohio Senate Bill 5 seeks to weaken or eliminate collective bargaining rights of state employees without offering evidence that this radical plan will create jobs or reduce the budget deficit,

NOW THEREFORE BE IT RESOLVED: That the Faculty Senate of The University of Akron strongly opposes Ohio Senate Bill 5, strongly affirms the right of collective bargaining for faculty and staff, and urges the governor and legislature to work with, not against, the faculty and staff of Ohio's universities, and

BE IT FURTHER RESOLVED: That the Faculty Senate of The University of Akron will forward this Resolution to our Board of Trustees, the Ohio Board of Regents, the Chancellor, and the Governor of the State of Ohio.