

**Faculty Senate Extraordinary Meeting
Monday, February 2, 2009
Room 145, Margaret M. Walter Hall, 7:10 p.m.**

Sergio López-Permouth called the meeting to order at 7:12 PM.

In attendance:

College of Arts and Sciences: D. Bell, K. Brown, G. Buckley, S. Gradin, P. Jung, S. López-Permouth, G. Matlack, J. McLaughlin, R. Palmer, S. Patterson, B. Quitslund, W. Roosenburg, A. Smith, J. Webster

College of Business: L. Hoshower, T. Stock

College of Education: V. Conley, T. Leinbaugh

College of Engineering: C. Bartone, J. Giesey, H. Pasic

College of Fine Arts: A. Reilly, E. Sayrs, L. Steele, D. Thomas

Group II: A. Hall

College of Health and Human Services: D. Bolon

College of Osteopathic Medicine: J. Wolf for P. Coschigano

Regional Campus—Chillicothe:

Regional Campus—Eastern: T. Flynn

Regional Campus—Lancaster: P. Munhall

Regional Campus—Southern:

Regional Campus—Zanesville:

Scripps College of Communication: J. Bernt, N. Pecora, J. Slade, C. Firth for S. Titsworth

Excused: T. Anderson, K. Collins, P. Coschigano, J. Lein, E. McGown, D. Matolak, C. Naccarato, S. Titsworth, D. Torres, R. Wetzel

Absent: J. Benson, S. Brogan, W. Gist, S. Hatty T. Heckman S. Marinellie, J. McKean, J. Thomas

Minutes of the meeting

- **López** began the meeting by summarizing and recapping why this extraordinary meeting of the Faculty Senate was called. He reminded senators that the senate met on January 12 and passed a resolution stating three conditions that senators wanted met for the appointment of a search committee for the new Executive Vice President and Provost. That resolution stated that, if those conditions were not met, then the senate calls on faculty not to participate in the committee and not to grant faculty rank to the person hired by the committee. **López** stated that President McDavis has proposed adding more faculty members to the existing structure.
- **López** reminded senators that the three guidelines spelled out the senate's resolution were and how the President's newly appointed committee compares to these guidelines:

1. The Handbook calls for a small committee of 6 to 14 committee members. The current committee is much larger.
 2. A majority of the committee members should be faculty, which is not called for by handbook but is considered a best practice based on the fact that 10 of 12 recent search committees have had at least 50% faculty representation. The current committee does not have a majority of faculty members.
 3. The handbook also calls for the committee to be chaired by a faculty member. The new design has a faculty co-chair for the search.
- **López** stated that, having heard the new position of the president, the meeting's goal is to decide what the Faculty Senate's position is on the new search committee.
 - **Quitslund** asked whether there was a quorum present. The roll was called. As 34 senators were present, there was a quorum.
 - **Joe Bernt** stated that he thought it didn't matter whether every element of the resolution was in the Faculty Handbook or the Policies and Procedures Manual. He contended that the new committee was still illegitimate and that he saw no reason why anyone should collaborate with this process, which is doomed anyway with the size that it now is. He stated that the committee is not practical or legitimate.
 - **Chris Bartone** stated that he echoed the sentiment that the present committee is not following the handbook. He stated that the senate should either reaffirm the original resolution or assert what's wrong with this committee.
 - **Joe Slade** stated that he could not see any benefit from retreating at this point. He argued that the senate should reaffirm the resolution and then nail it on the president's door.
 - **Leon Hoshower** stated that he would like to be the voice of moderation. He stated that the president had gone out of his way to try to correct the situation. He argued that reaffirming the resolution and refusing to compromise makes the senate sound shrill. He stated that the senate should extend an olive branch.
 - **Willem Roosenberg** stated that he disagreed with Hoshower. He stated that one of the horrible things we do if we cave on this is set a precedent that the handbook is no longer our guide. He argued that it would provide reason for the administration to make further inroads on the Faculty Handbook.
 - **Glenn Matlack** stated that his constituency had been fairly disturbed by this appointment of the search committee and had asked him to state the following:
 1. The provost is the chief faculty member at the university, the representative of the faculty. The composition of the committee should reflect that; the faculty should not simply be a section of the committee.
 2. Thirty-three people is an unworkable committee. It may look numerically that an olive branch has been extended to us, but a smaller group would make the important decisions.

3. We have a procedure that is laid out very clearly in the handbook. Are we going to follow the handbook? Why is the administration saying we shouldn't follow the handbook?

- **Jeff Geisey** asked what happened last time we searched for a provost. He asked, “Where were we then in regards to fidelity to the handbook?”
- **Joe Bernt** replied that the senate was probably out to lunch and probably not as frustrated as we've become. He stated that he knows personally that three search committees have had their recommendations ignored by the president while he put his particular candidate into the position. He stated that this committee is set up to do the same thing. He stated that it's time to say the handbook is the handbook; we're going to live with it and we expect the admin to live with it.
- **Gieseey** replied that we need to accept some of the blame for being in the situation we are in.
- **Chuck Overby** introduced himself, explaining that he was a Professor Emeritus of Engineering and that he was a member of the senate for about 5 years in the 1970s; he was also on the executive committee at that time. He stated that he loves this university and that, when Vernon Alden was president, there was academic freedom. He cautioned senators to be very careful and to maintain the integrity of our Faculty Handbook. He cited an example from 1978, when President Ping “finessed” the Faculty Senate in giving up a significant role in democracy at this university. He pointed to the Faculty Handbook's language on the appointment of deans. He noted that in the old handbook deans were appointed year to year until terminated by a request of the majority of the Group 1 faculty of the college. Overby pointed out that, if the faculty felt that a dean was not performing as a dean ought to, s/he could be removed by a democratic vote of the faculty of the college. This language was removed during President Ping's administration. Overby stated that this is just one example of why it's so important to maintain the integrity of the handbook: faculty lost the ability to democratically remove a dean.
- **Glenn Matlack** stated that Overby's comments speak well to the transformation of what's taken place, from dean of a faculty to some sort of quasi-administrator whose function, he stated, he doesn't understand.
- **Geoff Buckley** stated that he started taking some notes during an earlier meeting about possible actions the senate could take:
 - leave it the way it is, say we were able to add some faculty, rescind the resolution, and change the Faculty Handbook.
 - stand by the resolution, refuse to endorse the process, and insist on starting the process over.
 - Strike a compromise. To preserve the ground we're on here, we could propose starting with a large committee and striking it down: a smaller committee would conduct the search and then present it to the larger committee. This smaller committee could have 11 or 12 members, half of which would be faculty, and then present to the larger committee.
- **Buckley** asked what would be gained from each strategy. He asked, Can we push to reclassify the position so that it's not 100% administrative? Could we have

anticipated it? Do we need a handbook watch committee? Even if we have the committee we wanted, what is the role of the headhunter? How will what we do tonight affect the search and the university?

- **Quitslund** stated that most senators see this as an academic position, so it seems like a no-brainer. She stated that Human Resources classification of this position as administrative reflects a larger confusion about the difference between being “academic” and “administrative.” She noted that the handbook talks about “academic deans” even though they’re classified by HR as “administrative.” She pointed out that it’s important that we reaffirm that this position is the most important position for the academic direction of the institution. She maintained that we are the people, in fact, who know about academics—that’s our job. She stated that she doesn’t know what the consequences are in terms of what we do here, but clarifying the handbook seems like a good idea. She stated that, while she’s not arguing for anything, just putting it on the table, what we do in response to this committee may well have some affect on who is willing to take the job as provost at this institution. She stated that she’s not sure where the worst consequences are going to be.
- **Sherrie Gradin** stated that there’s sort of a war between protection of the handbook and the consequences for the future of the institution if we stand where we’re at with the resolution. She stated that we know the search can go forward one way or another and that who gets into the position will be affected by that. She stated that, if we can’t get to a compromise from the outside, that will affect any provost who has a brain: S/he will say, “Whoa, do I want to be provost there with that factionalism?” Gradin stated that she is extremely disturbed by how the handbook is ignored. She indicated that working on the Professional Relations Committee has really driven this home to her.
- **Norma Peccora** stated that she thought the point at which what kind of provost we get has passed. She stated that anyone considering this position is going to know what’s happened. She stated that the issue is saving the handbook for the next debate that comes along.
- **Ken Brown** stated that he wanted to clarify the situation on the academic position. He stated that the handbook says in the case of an academic appointment. He stated that the question of what it’s called is nonsense.
- **López** stated that the handbook could use improvement on instructions on how to run and constitute a committee. He noted that it says deans and other academic appointments but is left open about what those “other” appointments are, allowing the pendulum to swing the wrong way.
- **Brown** replied that at the time the provost was probably identified as the dean of faculty
- **Joe McLaughlin** stated that he wanted to supplement this conversation with the fact that over the last five years we have been benchmarked to death: administrative salaries, the strategic plan, the graduate college—we’re constantly told that everyone else has one, we need one too. He stated that we shouldn’t throw benchmarking out the window at this crucial moment. He stated that everyone we looked at has 50% faculty on similar search committees and nearly all have the size specified by the handbook. He stated that these were not cheery-

picked examples. He noted that we are doing something highly irregular and asked, “Is this the way we want to be distinctive?”

- **Quitslund** stated that she googled the positions too and found that 4 out of 12 were Executive Vice President and one or two were Executive Vice Chancellor and Provost.
- **Tom Flynn** stated that he would like to follow up on Geoff’s proposal. He stated that a 33-member committee is unworkable, since it’s impossible to get 33 people together. He noted that what that means is that there will be some sort of executive committee to do most of the work. He suggested that we come back with a proposal of an executive committee 12 persons, 7 of which would be faculty, chaired by a faculty member. He stated that Sherrie’s suggestion that the search is likely to go further creates a significant problem. He noted that the Faculty Handbook is not being recognized. Consequently, we have to do something. He stated that, whether we embrace that, we should consider it. He stated that at this point it would also be worthwhile adding to the Faculty Handbook that future search committees for Executive Vice President should be at least 50%, if not 50% plus 1, faculty members.
- **Peter Jung** stated that the stumbling block is that this is a search for a provost plus some other stuff. He asked what it would take to reclassify the position.
- **Gradin** responded that the contract would have to be written to say .5 faculty and then describe that as faculty duties.
- **Joe Bernt** stated that we accept that all of our deans are administrators and that they are not faculty. He noted that this is not really an issue. He stated that we could somehow patch together a compromise, but if this committee has 30 people it’s not going to function. He stated that the chances of this being a failed search, unless the president already has somebody in mind or we hired a bad provost, is good. He stated that faculty ought not participate.
- **Gradin** stated that her experience with the last Provost search, the one before this one, was that on a big committee it is difficult to find a voice. She stated that she is glad she was a full, tenured professor.
- **Chris Bartone** stated that, if the provost has an academic appointment, that’s the key here. He stated that we want an academic officer for this university. He noted that the guidelines for academic appointments are specified in the handbook. He stated that, if the president wants an executive vice president without tenure and without an academic appointment, then he doesn’t have to follow the guidelines. He stated that we don’t want this position to morph into this. He stated that we have to maintain a strong statement that this position would come without an academic appointment.
- **Joe Slade** echoed Bartone’s statement. He noted that, if we don’t stick with this resolution, we are not going to get a provost. He stated that it’s clear from the president’s talk last time that he has no interest in academic affairs. He stated that the president seems to be subordinating academic affairs in hiring this provost. He stated that, if we don’t stand out and if we’re not the majority of the search committee, we’re not going to get a provost: whatever it is, it’s not going to be a provost.

- **Willem Roosenburg** stated that he surveyed many of his constituents. He stated that one response parallels what Joe Slade is saying: why is this position still being called an Executive Vice President and Provost? He stated that the perception is that McDavis got the position because he wasn't familiar with the administration of the university and that there should no longer be a need for the executive vice president and should just be provost.
- **Matlack** stated that he is not worried about the affect of this debate on the person who get this job, since that effect might be positive. He stated that, if we find someone who takes the faculty role seriously, we'll get such a person.
- **Ken Hicks** stated that he was a member of Faculty Senate for a number of years. He said that he had a question for senators: "Is it ok with you to almost follow the Faculty Handbook?" He asked, "Isn't that like almost following the law?" He asked whether people are satisfied with having half representation for the chief academic officer. He asked, "If faculty stood up and said we want a provost, the person who gets this job will respond to them.
- **Doug Bolon** stated that one issue we're missing that is interesting to him is that of the use of a headhunter search firm. He stated that those individuals present the committee with a pre-set subset of candidates: here are 10 candidates, now you evaluate them. He stated that the composition of the committee isn't making the key decisions, which are already done by the search firm. He stated that he didn't know how much they cost, but it's not cheap, which matters in the current economic situation. He stated that he knows it would mean more work, but the committee could really do it better and should not allow the initial screening to be done by the headhunter. He stated that such firms push their candidate because they want their firm's reputation to be that they placed this person here, etc. He stated that the undercurrent here is the headhunter firm renders the ultimate decision moot.
- **López** pointed out that the search firm gets a proportion of the candidate's salary; most expensive candidate brings the greater profit to the firm.
- **McLaughlin** stated that he slightly disagreed with Doug, but agrees that a committee of 10 to 14 people can winnow through all of the candidates, but with a committee of 23 or 30 people you are likely to have the search chair, the head hunter, and someone from the President's office winnowing. He stated that only a strong, firm committee with a headhunter can work; otherwise there's no reason to show up.
- **Joe Bernt** stated that universities used to have search committees for presidents with a majority of faculty until the last 15 years or so saw a gradual movement to a headhunter to find next president, which moved to having a head hunter find the next dean of each college. He stated that for years, faculty controlled the process and it has slipped away partially out of our own sloth. He stated that it's not that hard to go through the applications.
- **McLaughlin** stated that he was not advocating for a search firm but pointed out that when he was on a dean search committee, the process resulting in finding a good dean.

- **Quitslund** stated that, lest we sound like we are notoriously resistant to change, it's not simply that things used to be done that way and were better, it's the academic mission of the institution that this search is about and that's our job.
- **Gradin** stated that we have to be careful to not say just "Because," but here is why we're taking this principled stance. She stated that the tendency is to have the reaction and not to fully explain why we do what we do. She stated that it's not mere resistance to change.
- **Tracy Leinbaugh** stated that she is concerned that this position is Executive Vice President and Provost and not the other way around. She stated that it's supposed to be an administrative position and is minimizing the provost part. She stated that this position is the chief academic officer; the current configuration minimizes the academic mission of the university, which is a slap in the face.
- **Judy Lee** stated that she wanted to reiterate the point about the academic mission. She stated that she thinks the current committee structure is due to a misguided motive that McDavis thinks is sincere, which is to include all constituencies. She stated that not all constituencies are qualified to speak to the academic mission of this institution. She stated that other constituencies are supposed to be supportive to the academic mission. She stated that she was excited that Kathy was appointed and that the addition of the Executive Vice President would join the two parts, but in practice it was just a dilution. She stated that expanding the committee has likewise gotten away from the original mission that focused on academics. She stated that, since we are an academic institution, the person who leads the university should not be subject to veto power by the other missions of the university.
- **López** mentioned that two weeks ago the student senate passed a resolution endorsing our own resolution of Jan 12 and calling on students not to participate unless the committee meets the requirements.
- **Rudy Pasic** stated that he remembered how this all started – the president delegated some of his responsibilities to the provost and called her the Executive Vice President because he needed to be more devoted to searching for money. He asked, "What's changed? Where is the money?" He stated that this move has clearly not resulted in something good; instead there is more emphasis on non-academics. He stated that he even questions the legitimacy of his decision to change the position at the time. He suggested that, one, we question such a decision; two, make sure that in the future "provost" be in the first place in the title, and, three, request of the person that we are searching for be primarily for the job of the provost.
- **Buckley** stated that in his May 7 speech the president stated that Krendl will continue to act as chief academic officer.
- **McLaughlin** stated that, if you go look at other search committees, there is typically 2 students out of 15, classified staff has a representative on 1 out of 15 committees, the administrative senate has 1 out of 15. He stated that this committee dilutes the representation of all of those groups, which only enhances executive staff and trustees, who have only a minimal role elsewhere. He stated that it is not just faculty being taken to the cleaners.

- **López** stated that in the Dean of Students search easily 80% of the committee was students, which made sense. He stated that another thing he's learned in the last month is that AAUP calls for faculty participation on committee to be the majority on committees on academic issues.
- **Art Smith** stated that we can agree that having a smaller committee would be a more workable committee. He stated that we also have to keep in mind that the Board of Trustees has agreed to add two faculty trustees to the board. He stated that to add 8 faculty members was a step in the right direction, though not fully all the way to what we wanted. He noted that there were no additional administrators added to the committee. He said concerning the statement about having less than 50% faculty will lead not to a provost that he understands what you mean, but he thinks it's a discredit to our deans and administrators to say that their role will be to promote the administrative function of the Executive Vice President and Provost. He stated that in regards to the senate's major complaint, the Faculty Handbook doesn't require a certain size, just a reasonable range, which unlikely to have a significant bearing on the choice. He noted that some people have argued that the committee is now too large to have a serious majority affect, but a few people have a big voice. He noted that the chairman is also a academician himself and that he doubted that his affect on the committee will be negative. He stated that adding the co-chair would not result in a terrible outcome, especially since he is a distinguished professor. He stated that, since the chair is a faculty member, it is not entirely correct to say that Faculty Handbook is not being followed. He noted that as to having a provost as Executive Vice President, there's nothing wrong with that – a lot of other positions across the US have this blend. He stated that the real issue is whether the faculty of this university can come to a workable relationship with this administration.
- **Ken Brown** asked about a procedural point. He stated that we already have a resolution; it isn't necessary to do anything else. He stated that to do anything else there should be a motion to reconsider the resolution. He stated that, if no one wants to do that, then we should just go.
- **Buckley** asked whether we need to vote. He stated that he can see both points. He stated that it's like a guy getting his wallet stolen and then negotiating with the guy who stole it about how much money he gets back. He stated that colleagues have already agreed to do this. He noted that we're constantly being divided and asked what it means if the resolution stands and they go ahead and do this anyway. He asked what is most productive for us in the long run. He stated that he feels very stuck by it and very frustrated. He stated that we're forced into this position.
- **Gradin** stated that she also feels stuck. She stated that she is sure what her colleagues are thinking and can't get a handle on what our colleagues think. She stated that a handful have said that we'll be seen as stupid, uncompromising, and silly if we don't cooperate with the President and then there's the other side. She stated that we vote with the voices of our colleagues, but she can't get a handle in what those voices are saying.
- **Allyn Reilly** stated that there is a fourth option: it is clear is that we are divided, and there is some tension between us and the administration at this point, which

may make the search a tainted one. He stated that we should urge the president to wait a year to work out some of the issues. He stated that we should stress the importance of the search, the controversy concerning the process, and the lateness of the hour. He suggested that we will have a better pool if we waited. He stated that a capable interim could be appointed.

- **Matlack** stated that he has spoken to his constituency, which is unified in disgust with the administration. He stated that he doesn't care about looking silly. He stated that we should let it stand, as Ken says.
- **López** stated that one alternative would be to add more to the rationale and explain ourselves in more detail. He stated that maybe the best way to get some good communication is to model some good communication. He stated that we can stand by the resolution but not just leave it at that. We could state what's wrong. He noted that it's not about 14 out of 30 or 17 out of 33, etc.
- **Brown** stated that perhaps Sergio could send a letter to the president explaining the outcome of tonight's meeting.
- **Elizabeth Sayrs** suggested we pass another resolution, one laying out our reasons and giving a face-saving option to the president – something that thanks the president for apologizing about the health care and acknowledging the binding power of the handbook and stating that it should be binding here too. She stated that putting it off would be a face-saving option.
- **Patrick Munhall** stated that the only chance to get everyone on board is to explain our position clearly. He stated that everyone who hasn't had this conversation won't have solidarity with us unless we expand on our rationale and what we're dissatisfied with. He stated that, if we want solidarity, we need to expand on this.
- **Phyllis Bernt** stated that this discussion is really the culmination of what's been going on for a long time: the handbook is rarely paid attention to. She stated that it's not paid attention to in ranks of faculty—Group 2, for example, get contracts that get 1.0 FTE—everyone has been ignoring the parts of the handbook that are inconvenient to them. She stated that it only makes sense that the president doesn't go to the handbook but to the head of HR. She stated that we have let people ignore the handbook over and over and that we have to take a stand and say we either have a handbook that we follow or we don't. She stated that there's no reason to rush into this and that it's better to have an interim than a bad search. She stated that we should use this as an opportunity to sit down and talk about the handbook, to have a conversation in which the president talks to the senate and we figure out how to proceed together.
- **Brown** stated that we have a constitutional crisis and postponing the search just postpones the crisis. He asked, “what if he says no, I'm not postponing the search?”
- **Leinbaugh** responded that then the faculty has extended a hand and he's refusing to cooperate.
- **Buckley** stated that this could be to everyone's advantage, an opportunity to have that conversation. He stated that maybe we could repair relations. He stated that we are constantly getting cornered into making decisions that are not very good ones.

- **Quitslund** noted that no one is in a good position right now.
- **Valerie Conley** stated that this is potentially pitting us against one another. She stated that several people say it makes us look stupid, and then you have people who say we have to stand firm with the handbook. She stated that we have not taken care of our handbook; thus, it is not in our best interest to use it as a tool to let us divide the faculty.
- **Phyllis Bernt** replied that sooner or later you have to follow the handbook. She asked, “Otherwise, when does it stop?”
- **Joe Bernt** stated that it’s frustrating that this body has to react to bad circumstances already laid out in front of us. He stated that, if our president would consult with the Executive Committee of this body, he might not have gotten into this mess. He stated that it is outrageous to suggest that we as a body are going to lay back because we have not been protecting our handbook; at this point, we have to say the handbook matters.
- **McLaughlin** stated that he knows on good authority that the leadership of this senate tried to work this out before any announcement and that there were discussions and recommendations and that the president’s instinct was not to consult and our leadership did a good job at offering advice.
- **Joe Bernt** asked at what point this advice was given. **McLaughlin** stated that it was before the committee was announced. **Bernt** asked how it happened. **López** stated that the conversation went to the handbook. **HE** explained that in response to being asked for names, he asked about the committee’s composition, but the design wasn’t there yet. He stated that the next communication was when the committee was announced. **McLaughlin** stated that the handbook language was put before the president and that he was aware of the language. **López** agreed.
- **Gradin** stated that we should stick with the handbook but say we want to postpone this search and work toward doing this right. It’s not an either/or.
- **López** stated that we could stick by the original resolution, ask that the search be postponed, state that it gives us some time to redesign the search, etc. It could come in a letter from the chair of the Faculty Senate explaining additional rationale and that we’re not haggling over whether we have 30 to 33 members but that we’re protecting the handbook.
- **Flynn** noted that the point of the delay would be for the president to reform the committee, etc. He asked, however, that, if the president knew in advance that he wasn’t following the handbook, what’s the likelihood he’ll change his mind now.
- **Gradin** noted that nothing stops us from being loud about it.
- **López** stated that there is an important element to doing it over: the original design was so bad, if you look at the revised design, it would look reasonable except that it doesn’t follow the Faculty Handbook.
- **Phyllis Bernt** stated that the difference is that the president ignored the handbook the first time around—perhaps he thought we didn’t care much because it was ignored before. She stated that we should make clear that we do care by passing this resolution and standing by it. She stated that we would be able to say to him that we want a do-over and how important it is to us. She stated that he’s reasonable enough to rethink it, and if he doesn’t it’s a real failure on his part.

- **Bartone** stated that any language about postponing the search much affirm the provisions of the Faculty Handbook. He stated that it must not be just an extension, but it must be so that this can be incorporated.
- **Reilly** proposed a resolution, reproduced below, calling on the search to be delayed. **Tom Flynn** seconded the motion to consider this resolution as a first reading. Senators then discussed specifics of the resolution's language.
- **Quitslund** stated that the resolution looks like another demand that will cause the president to react defensively
- **Leinbaugh** asked whether it could be a letter instead to avoid this.
- **López** stated that a sense of the senate resolution makes sense to him as the best option.
- **Phyllis Bernt** stated that, since the handbook gives the chair the authority to communicate on behalf of the senate, why have another resolution.
- **López** reminded senators that he has already delivered this message to the president in a private conversation and it didn't work.
- **Matlack** stated that back channel communication is not taken seriously. He also suggested that the tone of the resolution needs to be constructive, but also clear and unequivocal. In this vein, **David Thomas** noted that some of the resolution's language about the handbook being clear doesn't seem accurate.
- **Bartone** suggested adding language about the provost having an academic appointment. **Judy Lee** agreed with his addition. **Reilly** accepted it as a friendly amendment.
- **Roosenburg** suggested that language about collaboration be added.
- **Munhall** noted that the resolution emphasizes the handbook but the senate's concerns have reached beyond the handbook. He suggested that going forward this with resolution as is doesn't fully express our views. He suggested adding language to make it clear that the contention is not just about numbers. He also suggested adding language about some important issues that aren't being expressed. Munhall further suggested that the resolution needs to go out to the faculty as a whole in some form.
- **López** reminded senators that our next meeting is one week away and that we could use this week to work on the language. He further suggested that people outside the room will know what's happened tonight and we can finish the resolution between now and then and vote next week.
- **Gradin** noted that committee members must answer the invitation by tomorrow.
- **López** suggested that some faculty do not have a clear understanding of the senate's complaints concerning the "compromise" committee and therefore think that the senate's conditions have already been met. He indicated that he would be uncomfortable trying to coerce faculty members who had already accepted into resigning, though that is where we are now.
- **Joe Bernt** stated that it doesn't take tar and feathers; it only takes the senate's resolution and anyone who serves on the committee is doing so despite that resolution. He stated that they will be the people who ignored the Faculty Senate.
- **Ken Brown** stated that there is no reason why the senate should not be able to ask faculty not to do something, like serve on this committee.

- **Buckley** reminded senators that there is an untenured person on the committee. He stated that would be a concern, since it is a really compromising position for this person
- **McLaughlin** pointed out that we did not name an untenured person to this committee. **Buckley** replied that this goes back to his point about being stuck.
- **Phyllis Bernt** suggested that it would be helpful to write something to the faculty to let them know what the discussion was about. She suggested that we need to articulate the issues so that the faculty will understand what's happening. She suggested that it be a public letter letting faculty know what happened this evening and suggested emailing them right away.
- **David Thomas** stated that he was one of the three individuals who have to turn in a letter tomorrow. He stated that he was caught between two principles: he is an elected officer of this body and should therefore represent this body, but he is also the chair of the University Curriculum Council and should try my best to keep the curriculum in the hands of the faculty. **Thomas** then put up on the overhead screen the handbook's statement from section I.A.2.b., which includes the assertion that "Professors accept their share of faculty responsibilities for the governance of their institution." **Thomas** asked, "Should I rip that up?"
- **Phyllis Bernt** suggested that he should do what he wants to do. **Thomas** acknowledged that this was not an easy choice. **Joe Bernt** noted that one does not have to accept all appointments in order to fulfill one's responsibility to shared governance. **Phyllis Bernt** pointed out that the notion of postponing the search gets everybody off the hook. She contended that it really is most palatable compromise.
- **Peccora** stated that postponing the search also gets us a provost that we can feel confident of. She noted that right now there's a high risk of not being accepted by the faculty. She stated that second to defending the handbook that's what we need to do.
- **Gradin** stated that there is nothing to stop her from saying to say I'd be willing to serve on the search committee under different circumstances.
- **McLaughlin** stated that he saw that word responsibility up there on the screen and it all boils down to our responsibility to get this institution a good provost. He stated that we passed a resolution last week to say that this isn't the way to do it. He stated that he sees this as consistent with our responsibilities as faculty members.
- **Conley** asked whether, based on the position the president has offered, we still do not believe it is not good enough. She asked whether we are saying that this compromise is not good enough. Several senators answered "Yes."
- **Bartone** suggested that one way to send a clear message would be to introduce a resolution to rescind the previous resolution; if that motion fails, then it would send a clear message.
- **Conley** then moved that the senate reconsider the previous motion. **David Ingram** asked whether this would mean that we debate the resolution. He asked if the senate votes to reconsider whether it would be like a first reading and need to be voted one again in the next meeting. **Art Smith** pointed out that the senate can't add a motion when a motion is open. **López** noted that no one had moved to

suspend the rules to consider Reilly's resolution as a second reading; therefore, no motions were currently open. **Art Smith** seconded Conley's motion. **Tom Flynn** called for a vote. **Quitslund** called for a secret ballot. **Bartone** suggested that constituents should know how their senators voted, but **David Thomas** pointed out that it only takes one senator to call for a secret ballot, as dictated by Sturgis on page. 142.

- Ballots were distributed to senators. Buckley and Leinbaugh counted the votes. There were 4 voted to reconsider the previous resolution and 29 votes against reconsideration.
- **Pasic** stated that it has been very frustrating to see what we've been doing in the past few years. He said that he sees a day that we will really need to discuss some big issues on where this university is headed. He suggested that either this spring or this fall we should have some sort of conference with all of the faculty on what to do next. He suggested that we discuss where we stand on the future of the university and what is it if anything we can do as a senate.
- **Ken Brown** moved to adjourn the meeting, which was seconded by **Leinbaugh**. The meeting was adjourned at 9:08 PM.

**Resolution Affirming the Faculty Senate's January 12, 2009 Resolution on the
Executive Vice President and Provost Search
First Reading**

Whereas the Faculty Senate has observed a continual erosion of the Faculty Handbook over a number of years, and

Whereas the Handbook sets out guidelines for the hiring of the chief academic officer, and

Whereas the President himself has acknowledged the Handbook's importance in his remarks about health care to the Faculty Senate on January 12, 2009, and

Whereas the hiring of a chief academic officer is of vital importance to the future of Ohio University, and

Whereas this position is clearly academic since the Provost will be a tenured faculty member,

Be it resolved that we affirm our resolution of January 12, 2009, and

Be it further resolved that we strongly urge the search to be delayed until these issues are allowed time to be resolved in a collegial and collaborative manner.