

Ohio University Faculty Senate
Monday, September 19, 2011
Room 235, Margaret M. Walter Hall, 7:10 p.m.
[Summary]

The meeting was called to order by Faculty Senate Chair Joe McLaughin at 7:10 p.m.

I. President McDavis

The President welcomed the Senate to the 2011-12 academic year, and addressed three topics.

- Enterprise Universities.

Regents Chancellor Jim Petro has formally proposed to the governor and the General Assembly that Ohio public universities be allowed to opt into the Enterprise University Plan. As described by the President, the Plan would offer a trade of some portion of the SSI in return for freedom from some state restrictions and mandates (largely those having to do with financing, labor, and construction), resulting in a cost-savings to the universities that participate. The university would agree to invest part of its share of SSI in various initiatives, like one to attract eminent scholars; the portion of the SSI returned to the state would be held in a fund for student scholarships to the Enterprise University. The Plan has two phases. In the first, outdated mandates and duplicative regulations will be remediated for all state universities; in the second, all public universities would decide whether to become Enterprise Universities and forego part of their direct SSI. For institutions which can meet seven of nine rigorous benchmarks, the further option exists of becoming an International Enterprise University with even greater relief from regulation. The full Plan as proposed can be found here: <http://www.ohiohighered.org/sites/default/files/uploads/enterprise-university-plan/Enterprise-Universities-Plan-WEB.pdf>

McDavis emphasized that the proposal as submitted will go through the legislative process, and is likely to look significantly different at the end of that.

- Strategic investments for Ohio University.

The President outlined seven key areas for strategic reinvestment of resources:

1. Recruit the next generation of faculty.
2. Create new academic programs that are economically viable and attract students.
3. Invest in scholarships, both merit- and need-based.
4. Expand proven, helpful programs in support of student achievement, e.g. learning communities.
5. Renovate physical facilities.
6. Expand university support functions such as IT.
7. Support community-based outreach programs that align with OHIO's goal of maintaining a healthy community.

- Update on the capital campaign.

A two-day summit including volunteers and deans was scheduled for the week of September 19 to discuss strategies for initiating the capital campaigns of individual academic and other units across campus. To date, the campaign has raised \$375 million of its \$450 million goal. Of that goal, half of the amount raised is to the endowment and half to current operations. The largest gifts so far have been the Russ gift to the Russ College of Engineering and Osteopathic Heritage Foundation's gift to OUCOM. Goals for the remainder

of the campaign include the following: raising money for scholarships; increasing the number of faculty chairs and professorships; the creation of fellowships and more resources for student life; and investments in transformational learning opportunities.

[Discussion was held until after the presentation by Provost Benoit]

II. **Executive Vice President and Provost Pam Benoit**

Provost Benoit covered four large topics.

- The implementation of the new PeopleSoft Student Information System: The Provost noted that lots of people are working very hard. At the same time, such software conversions are messy, and one problem can lead to a chain reaction. She emphasized that the project has been sufficiently funded; what is required is a better job of anticipating needs and fast-tracking critical decisions. Reorganizing the university reporting structure so that IT reports to the Provost's Office has helped.
- Q2S: It is our last academic year on the quarter calendar. The transition is going well so far, due to the hard work of faculty and staff across OU, as well as specifically the efforts of Q2S Coordinator Jeff Giesey (who received sustained applause). The last major challenge focuses on advising. The university has promised not to delay graduation or increase cost to students as long as they maintain adequate academic progress, defined as full time enrollment, meeting catalogue requirements, and consulting regularly with advisors. Colleges have been given additional resources for Q2S advising. All students will complete a Transitional Degree Completion Plan (TDCP) which, if followed, will guarantee graduation without additional time or cost. Benoit also observed that she hoped we could use our experience this year to improve advising permanently.
- Benoit outlined three projects for this year requiring the collaboration of Faculty Senate.
 1. Revising the Program Review process. In light of the many concerns that have been raised about the current process, we need to rethink it completely.
 2. Group II faculty contracts. The right mix of faculty includes a core of Group I, but we should also acknowledge the contributions of Group II. This suggests the need for a conversation about longer-term contracts.
 3. Maternity/Paternity/Adoption policy should be implemented by the end of the year. The Provost didn't sign last June's Faculty Senate resolution on parental leave because it seemed to suggest that we would follow the identified best practices of our peers when we didn't yet know what those practices were. She is forming a committee with the intention of having concrete recommendations on the President's desk by February. McLaughlin has submitted names for this committee, and faculty are encouraged to support this effort.
- New Associate Provost position: Associate Provost for Academic Affairs, Planning, and Policy. This position will encompass Marty Tuck's previous one plus some additional tasks. A national search is planned, for which the description will be posted soon; internal candidates are encouraged to apply.

Discussion with both the President and Provost followed.

A senator asked Benoit when units should have their workload policies completed. Benoit responded that six months ago would be preferable; in any case, as soon as humanly possible.

A great deal of discussion focused on the Enterprise University Plan. In response to a request for clarification on the Enterprise University Plan, McDavis explained that it would allow for fewer restrictions: for example, we would be able to have single contractor for a project, rather than four. Others asked if it would change union labor requirements or allow us to withdraw from the University System of Ohio. McDavis said that the former that was not yet decided; in any case, the idea was to give each institution more managerial autonomy. The USO isn't on the table. We would have other kinds of freedom—for example, to be able to decide how much our enrollment can grow. In return for saving money or making more, we would have to give back some of the SSI. He emphasized that becoming an EU is optional, and that we would need to decide only when the proposal had finished its various stages of development. In response to a question about whether universities would individually negotiate the terms of their Plan, the President said that all Ohio universities would be free to make suggestions to the General Assembly, but after that there would be only two choices: to be an EU or not.

When a senator observed that the State seemed to be trying to wean wean universities off state money, and that someone would need to calculate the bottom line for OHIO, which McDavis agreed would be the responsibility of his office (along with the VP for Finance). Asked if this was, in effect, the end of public education, McDavis noted that he was just the messenger, and was not endorsing the plan at this time. He did say that the ultimate decision would be his, with the Board, although input from the Senate was important. Another senator noted that in Virginia, where a charter university plan had been implemented, tuition has more than tripled, making education impossible there below a certain income level, and he urged consideration of our institutional mission. The President concurred that such a plan could change our accessibility significantly, and pointed out that the universities in Virginia that had become charter universities both had large endowments and were comfortable charging more for their degrees. Some wondered if a decrease in SSI would mean fewer operating funds for academic units, and McDavis clarified that we could only determine that once we knew how our tuition and other income was changed. It was pointed out that the current Plan retains tuition caps, and that some students (like those in STEM programs) are financially net losses for the university. The President agreed that all cost factors would have to be taken into account, and further that the proposal is still not final. The Senate Chair highlighted the President's point that the current proposal is not set in stone.

The President was urged that the decision take into account our obligation to the people of Ohio and historic mission in the charter from the Northwest Territory; we cannot simply view our own institutional interests in the light of economic trades, but also think of the other public stakeholders. McDavis firmly agreed that we have a unique history and mission, and that it is our responsibility to serve the people of Ohio and our own students, including those who could not, for financial or academic reasons, attend an "elite" university. The Provost added that the Chancellor has spoken eloquently about the need to increase baccalaureate degrees granted in Ohio, and that the scholarship component of the Plan is meant to leverage current resources toward that goal.

III. Roll Call and Approval of the June 6, 2011 Minutes

The minutes were approved by voice vote.

IV. Chair's Report

- Update on Resolutions

The resolution on delaying Faculty Fellowship Leave FFL was signed, as were those on the clarification of ethics complaints, the First Year Council, and a Clinical Track in OUCOM. That on parental leave was not signed, as the Provost noted, although she is putting together a task force on the issue

- Faculty Senate Office Relocation to Faculty Commons

McLaughlin noted that the library makes a nice symbolic home for Faculty Senate, and that it appears to be free of the multitudinous and various infestations in Pilcher (bats, termites, water).

- Report on Meetings with Board of Trustees

Faculty Senate officers have had formal and informal meetings with Board Members since the June Senate meeting. In late June, the Executive Committee of the Senate met with Board Chair Kidder and Vice Chair Harris. They were very interested in talking to us about academic quality, and quite a bit of time was spent discussing Group I faculty and the buyout as well as the importance of faculty involved in both teaching and research. In early September the Trustees had meeting and retreat, where academic quality was again on the agenda. A panel which included McLaughlin, Elizabeth Sayers, Dean Sherman, and others discussed what faculty and deans regard as important to the institution. We still need to confirm whether Chair Kidder will come to address the Faculty Senate this fall.

- Updates on Senate Committees and University Standing Committees

Sarah Wyatt is the new PRC Chair, with Bonnie Roach filling in this quarter while Wyatt is on leave. CAS has had two resignations from Senate, and further has two elected Senators on FFL for the year. Their places have been taken for the year by Ruth Palmer, Roy Boyd, and Tim Anderson; we still need one more to fill in for Ken Hicks's leave, so faculty are asked to cajole colleagues (someone from Physics would be nice). CFA has no alternates, so there is a need for someone to fill in during Fall and Winter during Mark Phillips's leave. We are also in need of alternates for CAS, CFA, and the Lancaster campus.

- Ohio Faculty Council Representatives

The OFC meets monthly in Columbus with representatives from the faculty senates of Ohio colleges and universities. Joe McLaughlin is statutorily one of our representatives, but can't attend because of regular Friday committee meetings here. Ann Paulins is willing to serve again. A motion was made that Ann be elected by acclamation, and the motion was approved by voice vote. An alternate is still needed, and faculty should feel free to volunteer.

Discussion and questions for the Chair followed.

A long discussion focused on the faculty and staff buyouts. Senators wondered what happened, and whether money was saved. McLaughlin replied that the Provost either doesn't have numbers or isn't willing to share them. A portion of buyout remains open through the end of the year, and processes for hiring back are in various phases. McLaughlin is not entirely satisfied with that answer, as part of buyout is complete. Other ways of discerning who is no longer on faculty were discussed, and whether anyone had taken the buyout but subsequently rehired. McLaughlin pointed to the Group I headcount generally provided by

Institutional Research in October. It was reiterated that the budgetary bottom line was necessary information as well. Other discussion noted that some people may have simply transitioned to other jobs, but that we shouldn't necessarily care: the point of the buyout was to cut Ohio University's payroll. Another senator asked how we can tell if the university was left healthier, including whether units can deliver their curricula, and it was pointed out that we should also be asking about staff included in the buyout, especially staff who might be rehired under the justification that they are irreplaceable. McLaughlin pointed out that information might be too (or too-little) centralized to see total effect now. There was broadly-expressed sentiment that more information from the Provost or the VP for Finance is required.

A senator asked about progress in conversations about multi-year contracts for OUCOM Clinical Faculty. McLaughlin replied that Sarah Wyatt is talking to Dean Brose. Further, the Provost is interested in discussing multi-year contracts for Group II in other units.

It was noted that the President's areas of strategic investment did not include faculty salary and our compensation relative to other institutions. Nor did he refer to workload. Ann Fidler answered on behalf of the Provost's Office, pointing out that some of the reinvestment money is one-time-only funding, and that some of the other priorities are intended to leverage monies raised in the capital campaign. In response to Casebolt's inquiry about where the one-time funds came from ("the one-time-only fairy?"), John Day said that some was from the stock market rally. McLaughlin deferred to Fidler's expertise, but also pointed out that the amounts involved weren't enormous.

- Announcements

Senators will caucus about dean evaluations at the October meeting. The Senate also needs to name people to college professional ethics committees (Faculty Senate appoints half of each one). McLaughlin has contacted CAS Senators, and will write to others soon.

- **Upcoming Senate Meeting: October 17, 2011, 7:10 p.m., Walter Hall 235**

V. Educational Policy & Student Affairs Committee—Allyn Reilly

EPSA is looking at strengthening the second reading of the resolution on JE courses. The Senate discussed this extensively at the June meeting, and in light of that discussion the Committee is still working on a version for Second Reading. In addition, EPSA has taken note of a push from the administration for a greater number of online courses, with open questions about ownership and supervision. For that reason, it is revisiting the conclusions of Online Study Group from several years ago.

VI. Professional Relations Committee—Sarah Wyatt (for Bonnie Roach [for Sarah Wyatt])

PRC is trying to move forward on multi-year contracts for Clinical Faculty in medicine. Dean Brose is very positive, so the Committee hopes to have something on the floor in October. It is also working on the issue of Group II multi-year contracts.

VII. Finance & Facilities Committee—John Gilliom

The Committee is working on now-overdue restating of Faculty Handbook language about health benefits. The current language, including a specific health plan other than the one we have and also a limit on employee contributions (10%, which might or might not have meant 10% of premium), is outmoded. Gilliom noted that employees now pay 15% of the premium cost and a bit over 20% of the total cost. The Committee is looking for signable language.

F&F is also working with the Provost's office on a parental leave policy. Steve Hays is doing research for the Committee on the place of athletics in higher education. The Committee also has representation on various other committees—Benefits, as well as others. Finally, it is trying to figure out how contract cycles for faculty will work on semesters; September 1 start dates and end-of-September paychecks seem inadequate, as we will begin teaching in mid-August.

VIII. Promotion & Tenure Committee—Joe Slade

The Committee has several P&T appeals on the way, probably four that will be active in the next few weeks. It also has some procedural matters on its plate; Slade offered thanks to Ken Brown for going through the Handbook to find the quarter-dependent deadlines.

Discussion about committees:

McLaughlin urged senators to get in touch with committee chairs if there are issues you want to weigh in on that are the province of someone else's committee.

A senator asked if Faculty Senate had a liaison for IT affairs. His concern is active directories, allowing IT personnel to create accounts on faculty computers. McLaughlin pointed to the Faculty Technology Advisory Committee, which has several Senate members. Joe Slade also mentioned the Faculty Committee on Security and Privacy, which he chairs.

It was suggested that it would be helpful to have a catalogue of committees with official Faculty Senate representation, and also that the university committee lists also need updating. McLaughlin said that the President's office has posted current lists, but that it is difficult to keep track of committees other than the university standing ones, and agreed that a census would be useful.

IX. New Business

There was a long discussion of the status of the Faculty Handbook. A senator noted that the F&F Committee had been wondering about the role of the Handbook contractually for faculty, relative to other policies. There seem to be a number of different ideas about how and whether the handbook is binding, on whom, and under what circumstances. McLaughlin affirmed that it is part of our contract, binding on faculty and the administration. However, it was pointed out, it is not uncommon to get a notification that the Handbook has to be updated to bring it into line with policies and procedures, which makes it seem less like a contract. McLaughlin said that when the handbook is out of sync with statutes or the law, we need to consult with Legal Affairs about revising it; otherwise, such decrees need discussion. Another senator said that while there are official ways of creating university policies and procedures, there are also policies created by administrative units that seem not to have gone through those processes, and others appear to be contradictory (e.g., Concur and published travel policy). It was also noted that we do have a conflict between Handbook and reality in regard to health benefit language, and that that seems to speak directly to the question of whether it is a contract. McLaughlin said that this is a result of specific political history. There have been times when Senate did not approve of changes made by an administration, and, and our strategy was to refuse to change the Handbook. McLaughlin further noted that the Senate is at an impasse as a body when there are violations, as it does not have legal representation and is not a collective bargaining unit. One senator asked if it would be helpful to have a staff member in Legal Affairs representing the Senate, which McLaughlin opined was slightly less likely than having health benefits restored to the terms specified in the Handbook. Others argued that the Handbook is a “contract,” but not legally enforceable: we should think of it as a gentlemen’s agreement. McLaughlin noted that administrations tend to be very concerned with the Handbook technicalities on issues of P&T and ethics, to which it was suggested that lawsuits about tenure are expensive. Asked about how the Handbook can be changed, McLaughlin replied that it can only be changed by the Senate, not unilaterally by the university administration.

A Committee member said that the F&F Committee is looking into financial repercussions of OU’s athletic programs. An article in this month’s *Atlantic* suggested that case law is developing which makes universities liable for injuries: see <http://www.theatlantic.com/magazine/archive/2011/10/the-shame-of-college-sports/8643/>. McLaughlin suggested it be brought to the attention of the new ICA Committee Chair, Raymie McKerrow.

X. Adjournment

The meeting adjourned at 8:56 p.m.