

Ohio University Faculty Senate
Meeting Minutes Monday, November 1, 2021

Live and Virtual Meeting Via MS Teams

7:10 – 9:00 p.m.

- I President Hugh Sherman and Executive Vice-President & Provost Elizabeth Sayrs
- II Roll Call and Approval of the October 4, 2021
- III Chair's Report – Robin Muhammad
 - a. Updates & Announcements
 - b. Upcoming Senate Meeting: December 1, 2021 at 7:00 p.m in Irvine 194 and with Teams access
- IV Promotion & Tenure Committee – Jackie Wolf
 - Resolution Clarifying Next Step to Be Taken After an Affirmative Decision Made by the Standing Committee on P&T Regarding a P&T Appeal – Second Reading
- V Educational Policy & Student Affairs Committee – Nukhet Sandal
- VI Professional Relations – Char Miller
- VII Finance & Facilities – Doug Clowe
- VIII Sense of the Senate and/or Resolutions *re* Contractual Bonuses, Management Structure, and Leadership Searches
 - Sense of the Senate Resolution on the Inclusion of Bonuses in Contracts – Second Reading
 - Sense of the Senate Resolution on Changing the Management Structure of the Chief – Second Reading
 - Resolution on Leadership Searches – Second Reading
- IX New Business
- X Adjournment

In attendance:

Andzulis, Bates, Brown, Butler, Casebolt, Challenger, Chen, Cirola, Clowe, Crawford, Davydov, Dowell, Dyer, Eisworth, Gordon, Haile, Hallman-Thrasher, Hartman, Hendrickson, Hess, Holcomb, Hurley, James, Johnson L., Karney, Klein, Kuruppallil, Llamas, Littell, Marchenkov, Marinski, Matlack, McDiarmid, Muhammad, Murray, O'Keefe, Owens, Palmer, Parsons, Phillips, Pritchard, Raney, Reader, Ridpath, Rosado Feger, Sandal, Sarver, Steele, Webb, Welsler, White A., Wilson, Wolf, Wyatt, You

Meeting called to order at 7:10

President Hugh Sherman

- Very successful Halloween weekend, with very few incidents. Volunteers dismissed early, evening was very safe.
- Budget process update:
 - Goal: transparent and collaborative.
 - VPFA and Provost meeting with every planning unit to gather input for budget.
 - Working on Fiscal 22, then will work on Fiscal 2023.
 - Director of Budget resigned, search for replacement stopped, John Day will serve as Interim Budget Director. He is well-respected and brings a lot of strengths to the position and the process. Budget process will be open and transparent.

Provost Elizabeth Sayrs

- VSRP
 - Previously shared that this was under consideration
 - Resolution for targeted tenure-track faculty VSRP, passed in October, information released Nov 1.
 - Faculty in eligible departments contacted by HR.
 - Design different
 - Election window opens January.
 - Aim: rebalance faculty with student major and credit hour changes and enrollment drops. Factors used: percentage of tenured faculty, UG and Grad majors, and UG and Grad credit hours. Erred on the side of inclusion.
 - About 70% of Athens faculty eligible, including HCOM.
 - Being on the eligible Department list is NOT an indication of department performance.
 - Due to IRS rules, we do not anticipate any additional VSRP offers for several years.
 - Last VSRP had differential participation rates by College/Department. We expect differential participation this time too.
 - Questions about the VSRP: contact HR.
- UC Dean Search
 - Internal posting, requires terminal degree and tenure. Applications due by Nov 30.
 - Provost offers to meet with any potential candidates.
- Library
 - Agreement between OHIOlink and Cambridge University Press.
 - Expands journal access to over 200 journals.
 - Any article with OU lead author can publish as Open Access without additional fees.
 - Questions: contact Janet Hulm at hulm@ohio.edu

QUESTIONS:

Sen. Wolf: About the VSRP, is there a list of eligible departments online?

Sayrs: Yes, there is a list and spreadsheet with the data used to select departments.

Sen. Karney: What do you expect the uptake rate to be for the VSRP? And to President Sherman, what is the share of the "3%" revenue growth/cost reduction expected to be accounted for by the VSRP?

Says: We work with an outside group that does a prediction. The eligibility is different, so we expect it to be proportional to what it was last time. Last time we had an estimate of 60-65 which we had in the first round, then re-opened it and the number climbed to 94. We are expecting around 35 but this is highly variable.

Sherman: The projection we laid out for the deficit was for FY 23, not FY 22. For FY23 we are projecting a \$30M deficit, and we have a very strong desire to put a 2% raise pool into effect that would add ~\$7M. Total \$35-38M loss for FY 23. Can't close the gap in one year but we need to close it over the next 3 years.

Sen. White: Will RHE faculty also have access to the additional journals through the agreement?

Says: I am not sure, and will follow up and double-check. RHE does have differential access to some resources.

Sen. Llama: Why only tenured professors for the University College Dean's position.

Says: It's a fairly standard criterion, it is challenging to be untenured while supervising tenure processes for faculty.

Sen. McDiarmid: Will future raise pools be tagged to percentage of base, such that those at the bottom always receive the least, and those at the top receive the most?

Sherman: This is the way we have always done it, but we may want to consider how we deal with equity.

Sen. Owens: Could you note cuts in administration and athletics and how they are contributing to the budget?

Sherman: We haven't set objectives for planning units, so I don't know the answer to that yet. Does appreciate the work that Julie Cromer has done to keep a tight rein on salary increases. There was turnover in head coaches but we did not increase salaries.

Sen. Steele: Will RHE faculty be included in the raise pool.

Sherman: Absolutely.

Roll Call and Approval of Minutes Clowe/Brown Minutes from Oct. 2021 meeting approved.

Chair's Report:

- 2021 Dean's Evaluations completed. Dean's Evaluations for 2022, process will start soon.
- Annual: A&S, Engineering, Communication, Voinovich. Comprehensive: HCOM, Graduate College, Fine Arts. No eval for new or Interim Deans.
- Ohio Faculty Council:
 - Auto-adopt policy (HB110): textbooks ordered by bookstores
 - Divisive content bills, not currently moving forward but still active.
 - Vaccine mandates: monitoring bills.
- Nov 15th deadline for COVID-19 vaccination
- HLC – Assessment Initiative. Going through an accreditation process. Re-affirmation with an Open Pathway. Evidence subcommittees being formed. Timeline: conclusion 2024.

- Representatives from the Board of Trustees will visit Faculty Senate in February.
- Next Senate meeting Dec 1, 2021.

Senator Casebolt: What is the rate of vaccination on the regional campuses? Are they still in the upper-30 to low-40%? There is a lot of anxiety about the possibility of half our students not coming back in spring and cascading effects into budgets etc.

Dr. Ice: Discovered some data issues, with eCampus students assigned to physical campuses although they are online students. The vaccination rate should go up as this data gets cleaned up. Also, those who have not responded to the Pathway survey will be contacted by phone. Students and staff meet the requirement by vaccination OR exemption request.

Chair Muhammad: How many exemptions have been accepted?

Dr. Ice: A little above 1,000. Medical exemptions have been denied, exemptions due to reasons of conscience have been approved.

Sen. O'Keefe: Does the RHE data posted reflect corrections of the known error?

Dr. Ice: No, not yet. We are compiling data from separate systems and we hope to have this updated and corrected by the end of the week.

Chair Muhammad: CORRECTION to the emailed agenda, the next meeting will be DECEMBER 13, not Dec 1 as listed.

P&T: Senator Wolf

- Provost has established a task force to look at P&T guidelines in OneOHIO
- Resolution Clarifying Next Step to Be Taken After an Affirmative Decision Made by the Standing Committee on P&T Regarding a P&T Appeal – Second Reading
 - There is a contradiction in the Faculty Handbook, one section refers a successful appeal case back to the department, another section refers the case directly to an appeals committee. This resolution directs the appeal to go directly to committee.
 - An appeal at this level has already been through the process twice.
 - When the P&T Committee decides to grant an appeal, the case should go straight to a hearing.
 - No discussion or questions. Motion from Sandal/Marchenkov. Resolution PASSES.

EPSA: Senator Sandal

- Also part of OneOHIO Faculty Integration task force. EPSA and PRC and T&P are all involved.

PRC: Senator Karney

- Resolved two grievances this semester. Two others are ongoing.
- Subcommittees working on
 - Faculty Fellowship leave
 - Title IX compliance
 - Faculty seeking graduate degrees in their colleges

- Instructional faculty non-renewals
- OneOHIO Integration task force

F&F: Senator Clowe

- Sen Clowe on the search committee for VPFA
- State law regarding EULA's in effect now. Julie Allison (allison@ohio.edu) in Purchasing looking at ways to manage this, is starting a list of prioritized things to work on.

Questions:

- What is the overall charge of the OneOHIO Integration Committee?
- VPFH Hartman: there are two task forces, one dealing with promotion/tenure and one dealing with any non-promotion/tenure issues.

Sense of the Senate Resolution on the Inclusion of Bonuses in Contracts—Second Reading

- Some historical background: Bonuses originally for coaches and then expanded to other positions.
- There were a number of suggested changes from the October meeting. Kept it pretty close to the original version.
- Changes: addressing only non-renewals made for financial reasons.

Senator Andzulis: Question about process: is there a policy on the time frames for sending out voting items? This document was sent out Friday, and there has been little time to consult with faculty.

Chair Muhammad: there is no set policy for required time.

Senator O'Keefe: This has been a learning process and there is a learning curve involved in drafting, submitting, and coordinating. As a Sense of the Senate, this resolution is not up for signature. The Provost. I understand the challenge of the time frame, but urge that we have open discussion during this meeting.

Senator Hallman-Thrasher: What's the rationale for the governor's salary being a cut point?

Senator O'Keefe: It was adopted from a suggestion before, when there was a specific number attached. There are a variety of athletic positions with varying ranges of salary, we wanted to make clear that this is intended for top earners.

Senator Wolf: A Sense of the Senate resolution is a statement. While not necessarily disagreeing with resolution, it still sanctions bonuses. Why would we sanction bonuses at all?

Senator O'Keefe: This was something discussed while formulating this resolution. This resolution came through AAUP and we have been considering lots of different issues. Also thinking about the broader faculty and how other universities have proceeded, and the different audiences. We thought it made better strategic sense to focus on bonuses during times of economic hardship.

Senator Grant: The choice of the governor is because this is the executive in charge of the state.

Sen. Clowe: First, the salary of the governor is a political decision, there are 300+ state employees paid more than the governor. Second, non-renewals due to economic conditions happens almost every year due to enrollment declines and rebalancing faculty capacity. That line would effectively eliminate bonuses.

Sen. Karney: Public employees do get bonuses, for various reasons. This resolution has no flexibility. But major concern is that if bonuses are eliminated, then the money might be moved to regular compensation to maintain effective compensation. This does not seem to be an effective measure.

Sen. Reader: Agree with sentiment, and agree bonuses in public service are problematic. Concern with bonuses is about justification and record of them. Annual evaluations of these employees tend to be much less stringent than those of faculty and Deans. If we are going to have bonuses for executives, then there should be more accountability.

Sen. Bates: This resolution is resulting in two arguments to support it, which are incompatible. First, there should be no bonuses. Second, bonuses should be given up in times of economic hardship (which accepts bonuses as justifiable). These are incompatible positions. Suggest splitting into two separate resolutions or arguments. Propose to take this resolution off the table right now. Reconsider each argument separately, and support one or the other argument.

Sen. Wolf: procedural question: how do we propose to deal with this resolution without a vote?

Chair Muhammad: We would need a motion to table the resolution.

Sen. Andzulis: Can you clarify "awarding bonuses should indicate financial health"? Does this mean the unit, the college, the university, all of Ohio?

Sen. O'Keefe: The spirit of this comes from bonuses awarded during times of layoffs. Claims of financial health are usually claimed as the university as a whole. Looks like another financial issue is Facilities and upcoming maintenance or renovation, this will take a chunk of budget. Prefer open wording. What if we have layoffs in say, arts and Sciences but bonuses continue in Athletics? For example, regional campuses provide really important educational resources but they face cut after cut.

Sen. Owens: Appreciate Sen Bates' comments to tabling the resolution, and the philosophy mentioned by Sen Wolf. We who work at the university are public servants. We need an affirmation of our values, particularly at a time when the university is offloading intellectual capital by buying out faculty. We need to reconnect with our basic values as public servants.

Sen. White: I don't see how this resolution has two incompatible statements. I don't see the back door that it blocks all bonuses. We on the Regionals did not lose any faculty for many years for budget reasons until this last mass layoff. I support removing staff from the resolution and keeping faculty programs departments or campuses. It is not true that every year one of these things is eliminated for financial hardship. Then we have a narrow second resolution eliminating bonuses altogether, but I think if we eliminate staff we have the narrow resolution.

Chair Muhammad: Now we need to decide whether to vote or to table this resolution.

Sen. Wolf: Move to Table Second: Clowe Ayes: Many Nays: 3 Abstention: 0

Resolution is TABLED

Sense of the Senate Resolution on Changing the Management Structure of the Chief Financial Officer Position—Second Reading

Sen. O’Keefe: There was a question raised whether to use Executive Vice President and Provost, vs Provost, we opted to focus on the academic role of Provost. Otherwise there are no changes to the resolution.

Chair Muhammad: We heard from President Sherman, that moving forward, the VPFA and EVPP will be meeting with all planning units as the budget develops.

Sen Clowe: Are there any examples of this structure at other universities?

Sen. O’Keefe: I researched this and we would be innovators in this area. This would be an important step to being true to our mission.

Chair Muhammad: You did not find any others that did this?

Sen. O’Keefe: That is correct, we did not find any.

Professor Grant: I am not sure it matters whether others have, we should lead.

Sen. Reader: This is similar to a resolution tabled last year. I think it should list the position as EVPP, as this position is who steps in for the President. The EVP is an officer of the entire university, not just academic issues. This is why I support this resolution, because the EVP should have joint oversight over the chief information officer, the chief innovation and strategy officer, and chief financial officer.

Sen. Wyatt: Agree

Sen. O’Keefe: We are open to this as a friendly amendment.

Sen. Reader: Propose the friendly amendment.

Senator Grant: The point is that the CFO should be responsive to the academic side, which she has not been in the past.

Sen. Rosado Feger: the person whom you are referring to is no longer in this position.

Motion: Reader, make a friendly amendment to change title to Executive vice president and Provost. Seconded by Bates.

Ayes: Many Nays: 0 Abstentions: 1 Friendly amendment passes

Motion to vote for resolution: Casebolt/Wolf

Ayes: Many Nays: 3 Abstentions: 2 Resolution passes

Resolution on Leadership Searches – Second Reading

- Sen. O’Keefe: significant changes were made from the first reading. A number of whereas statements.

- Made changes to the resolution to make changes to the Faculty Handbook. We want the Provost to answer the questions we are raising because she is unlikely to sign this.
- Ideas/issues from Frist Reading have been incorporated.
- Sen. Clowe: The provost pointed out that currently Dean searches have to be 50% faculty, but this resolution lowers that. May want to adjust that wording.
- Sen. O'Keefe: this would be a minimum threshold for all positions, we recognize that certain positions will have higher percentages, hence the broad language. Open to changing the language around Dean searches.
- Sen. Andzulis: "No outgoing President, Vice President, Provost, or Vice Provost shall serve on the committee to find their replacement". Can you please speak to this?
- Sen O'Keefe: this is a recommendation from AAUP national, that supports shared governance. The previous administration is outgoing and should not have undue influence on the incoming administration. There is a difference in this between higher positions and mid-level position. The outgoing person can offer advice or suggestions, but limits the influence.
- Chair Muhammad: if the outgoing person is consulted it is usually in an ex-officio capacity, not voting. John, can you speak a little to moving beyond higher-level to mid-level positions? Those are different categories in many respects, what is the rationale behind expanding at.
- Sen. O'Keefe: This clause is for President, Provost, Vice president, Vice Provost, only those top positions, didn't want the same for the mid-level (eg Dean) because they might have specific expertise that outweighs some of the concerns of potential conflict of interest or other issues.
- Sen. Rosado Feger: how do you see these changes to the process changing timeline, I can see the importance of President/Provost but lower positions I do not see this as much. Inserting this process into every interim search, this would make these searches take forever. Interims are appointed while a search is conducted. There would be a vacuum in decision authority while this process occurs.
- Sen. O'Keefe: This is why we have Item 3, where Faculty Senate appoints the other half of the committee. We left it open to how this happens, whether it is Exec Committee, or a special meeting of the whole Senate. Either one can be fast.
- Chair Muhammad: the need for interim positions is often one of expediency and possibly emergency. If we have to form search committees for that, then these positions have to wait, but the work still has to be done, by someone who does not have that authority.
- Sen. Rosado Feger: if you prevent an interim appointment it creates a leadership vacuum, in a position that needs to make decisions.
- Sen. Andzulis: not to mention all search committee members need to be trained which adds additional time to this process.
- Sen Andzulis: Can you please address, what is the definition of "true diversity" and can we amend this to add "accessibility"?
- Sen. O'Keefe: Yes, we can add "accessibility." We previously considered as part of equity, but yes, we can accept that friendly amendment. Re the interim issue: this was drafted over the summer in response to a rapid interim appointment. Interim can be a back door to a permanent appointment, but understand the concerns brought up. I think this resolution addresses interim appointments not emergency appointments.
- Sen Rosado Feger: The resolution addresses both interim and permanent positions.
- Sen. O'Keefe: We can strike interim from this resolution, maybe we can have a vote on that.

- Chair Muhammad: do you want votes on amendments or the whole resolution?
- Sen. O'Keefe: votes on the amendments, please.
- Sen. Rosado Feger: Friendly amendment to strike all references to interim searches?
- Chair Muhammad: Do we have a motion? Yes, Rosado Feger/Clowe.
- Ayes: Many Nays: 0 Abstentions: 0 friendly amendment passes.
- Sen. Andzulis: I would like to motion to table this resolution until we have all the amendments made.
- Sen. Kuruppallil: I second, we need to make these changes and then bring it back for vote.
- Motion to table: Ayes: Many Nays: 0 Abstentions: 5
- Resolution TABLED

New business

None

Move to adjourn: Sandal/Brown

Adjourned, 8:47 pm