

**Ohio University Faculty Senate**  
**Meeting Minutes Monday, March 1, 2021**  
**Virtual Meeting Via MS Teams**

**7:10 – 9:00 p.m.**

- I. President M. Duane Nellis and Executive Vice-President & Provost Elizabeth Sayrs**
- II. Roll Call and Approval of the February 8, 2021 Minutes**
- III. Chair's Report—Robin Muhammad**
  - a. Updates & Announcements**
  - b. Procedural Review of Faculty Handbook**
  - c. Upcoming Senate Meeting: April 5, 2021 via Teams**
  - d. Elections Committee Chair – Ana Rosado-Feger**

**IV. Executive Committee**

**Resolution to Implement the Recommendations of the Academic Policy and Process Group Regarding the Instructional Evaluations – First Reading**

**Resolution Regarding Privileging the Academic Mission When Allocating University Resources – First Reading**

- V. Promotion & Tenure Committee— Jackie Wolf**
- VII. Professional Relations – Char Miller**
- VIII. Educational Policy & Student Affairs Committee—Andrew Pueschel**
- VIII. Finance & Facilities Committee—Doug Clowe**
- IX. New Business**
- X. Adjournment**

In attendance:

Bates, Brown, Casebolt, Chen, Cirolì, Clowe, Crawford, Dyer, Franz, Gurien, Haile, Hallman-Thrasher, Healy, Hendrickson, Hess, Hiler, House, Hurley, James, Johnson, Karney, Klein, Kuruppallil, Lowery, Marchenkov, Matlack, McMills, Michaud, Miller, Muhammad, Munhall, O'Keefe, Owens, Palmer, Pritchard, Pueschel, Raney, Reader, Ridpath, Riefler, Rosado Feger, Sandal, Sarver, Shao-Lucas, Sprunger, Stork, Webb, Welser, White A., Wolf, You, Young

Meeting called to order at 7:10

President Duane Nellis

Thanked all for the opportunity to be here and for their efforts in these extraordinary times, noted that Board of Trustees is in session and might have to return to that meeting.

Fall planning: today communicated increasing in-person activities on campus. More to be phased in as we move into Fall. Fall won't be "totally normal" but "more normal." Thankful to Dr. Gillian Ice and her team and Dr. Ken Johnson and the COVID Operations Team.

Provost Sayrs has been working with academic and public health leaders to plan for Fall.

Testing and tracing measures to continue as long as needed.

Budget:

- Challenges even before COVID19. The pandemic has made these more salient.
- Largest freshman class in 2014, these students have graduated.
- OU first to have the OHIO Guarantee, but now others have implemented similar plans.
- Budget we have requires use of reserves, even before pandemic challenge. The pandemic has accelerated budget challenges and forced us to make painful decisions regarding personnel.
- We can't continue to depend on reserves, we must develop a new model.
- Grateful for the leadership of VP Deb Shaffer and her work in budget planning. Noted that the VP's role is to provide models and projections, but decisions are ultimately made by University leaders.
- Budget Council plays important advisory role, and budget information can be found at <https://www.ohio.edu/budget>.
- Gov. DeWine restored \$8M cut in SSI funding, plus there is a slight increase in SSI proposed for FY22. This will help reduce the dependence on reserves.
- Federal COVID funding has been received, and there is a new stimulus package being discussed in Congress. Would represent about \$54M in total, with half allocated to students.

Equity and human rights:

- We should always be thinking about how to combat systemic racism. Held 5<sup>th</sup> Difficult Dialogues event with viewing of the film Emanuel and discussion afterwards.
- March is women's history month. First activity: fireside chat with Secretary Hilary Clinton and her daughter Chelsea.
- Acknowledgement and Reconciliation Committee put together by Division of Diversity and Inclusion, chaired by Dr. Robin Muhammad, to research and document the university's historical relationship to slavery, racial oppression and native land dispossession. Looking forward to their report in late April.
- Congress currently discussing Dream Act of 2021. President Nellis has written a letter of support to the Ohio Congressional leadership.

Questions:

- Senator: President Nellis, you challenged local journalists on their professional ethics regarding their investigation of a public official at a public university. Understands that where someone

works during a pandemic might not be newsworthy. However, it is newsworthy when some of the highest paid officials at a public university in Ohio, may be removing themselves from the state of Ohio and thus remove their tax dollars from the state of Ohio, that this institution and the taxpayers of Ohio and those of us enduring furloughs are subsidizing. I think this is not a question of ethics, this is a question of priorities. Before you cast aspersion about professional ethics, your own house should be in order. The Strategic Communications office cherry-picked the SPJ code of ethics, overlooking a number of tenets within that code that make it a moral imperative of journalists to hold public officials accountable and to represent the views of the public. While there is no law that an employee of Ohio University has to live in Ohio, but there is an ethical issue of where we spend out money. The majority of people who work here, moved here, have our families here, and this is where we spend our money and invested our lives, and I don't think it's unreasonable to expect the highest paid employees to also invest in this community this way. The pandemic changes everything, but after the pandemic, it would be wise that this institution re-establish that the highest paid executives should reside in the home community.

- Answer: Thank you for your comments. There is only one person at the University required to live in Athens county, and that's the President. We have a lot of employees in different locations right now and it's not my priority to monitor where my staff lives. VP Deb Shaffer has been there every day, morning through night, weekends, whenever called. I am concerned with performance not location. When calls are placed asking questions that are not related to work, I think this borders on harassment, and I think this was inappropriate. We have Ohio University employees working in many states, and in my opinion the location will be even less critical moving forward. Each person should make a decision on their own regarding where they live as long as they can do their job.
- Senator: the concern is that you challenged professional ethics citing a specific code.
- Senator: speaking of ethics, do you know when we will know the outcome of the Board of Trustees meeting that is occurring right now?
  - Answer: I think very soon, when they come out of Executive Session.
- Senator: do you also know if they were sent the resolution or the information that we discussed at the last Faculty Senate meeting?
  - Answer: I do not know exactly all the information was provided to them, the information provided was all coordinated through our legal office.
- Senator: do you know if any of the Board of Trustees have any training in sexual harassment, sexual assault, domestic violence, rape culture and/or trauma?
  - Answer: I do not know.
- Senator: Do you think that if they are making decisions about topics related to this, that they should have some sort of training?
  - Answer: That's not a decision that I can render an opinion on at this time. Our university community goes through training and I think the Board is aware of general parameters and I'm sure our legal counsel briefed them on key parameters related to that, I appreciate what you're asking but this is a decision he Board makes, and we have legal counsel that is working with them and I really shouldn't comment at all.

Chair Muhammad: One amendment to the agenda, the resolution listed as from Promotion and Tenure Committee, should be listed as under the Executive Committee.

Provost Elizabeth Sayrs:

- Fall course Offerings: Chairs and directors working on scheduling for Fall, led my Curriculum Planning Group. Still anticipating COVID guidelines to be in effect in Fall. This includes 6-ft distancing which changes classroom capacities significantly. Smaller classes we probably have space but larger classes we are limited. We are looking at alternative spaces to be used for class space, expanding time blocks, and alternative formats.
- Academic Planning and Strategy: about 200 people attended forums and lunch sessions. Survey continues to be open. You can submit the survey as many times as you like. Information can be found at the Provost's website. We are starting to receive draft reports and discussing draft recommendations for the groups and subgroups. In the process of meeting with Co-Leads and asking for clarifications, then those will be circulated for comments and feedback. Many thanks to the members of these committees for their creative and comprehensive work.
- Last week conversation was one of the most energizing and interesting, many angles willing to collaborate to identify and work through critical issues, all focused on how can we best fulfill our teaching, research and service mission in these turbulent times.
- Libraries: Ohio University now a member of the Hathi Trust, a global collaborative depository of materials, dedicated to making materials more accessible online. We will be able to download complete works, digitized accessible materials, access to research center, and unlimited deposit of our own digitized collections.
- Finally...we are about a week and half away from the anniversary of when we went online due to the pandemic, and when so much was unknown. It is hard to conceptualize over half a million lives lost. But also there is optimism, as vaccines were developed and deployed in record time, due to our research activities. Our university has partnered with multiple health departments to use our campuses to distribute vaccines, and our students, faculty, and staff including our Deans, helping to put shots into arms. It's still an unsettled time but I hope you are starting to feel a little of that optimism.

Roll Call and Approval of Minutes

Matlack/Hiler

Minutes from Feb 8, 2021 meeting accepted as amended.

Chair's Report:

- Resolution to modify undergraduate catalog of entry: signed by Provost
- Resolution regarding reinstatement of faculty P-card privileges: Not signed
- Resolution supporting the OFC statement on reorganization: Not signed
- Dean's Evaluations moving ahead. Qualtrics link sent to faculty, these are individual, please do not forward or delete this email. Dean's Evaluations open until 3/22 at 8am.
- Report from Sustainability Office: asking for input or interest on the final draft of the 2021-26 Sustainability and Climate Action Plan, to be presented to the Sustainability Committee on March 31 and then to the Board of Trustees.
- Procedure update regarding elements of the Faculty Handbook:
  - Discussion on Feb 8 regarding processes involving detenuing and appeal processes.
  - Cannot speak to the specific case as it is ongoing.

- However, it might be useful to have a conversation about the procedures and guidelines used, which have been in place for many years.
- The committee is guided by these procedures.
- Noted the item on the burden of proof resting with the university and the standard of “clear and convincing” evidence. This was also brought up with the Attorney General’s office to review the procedure.
- Noted the item that the hearing shall be in closed session unless open hearing is requested by the faculty member.
- Noted the item that the faculty member can testify or present witnesses on their behalf.
- Noted the item on statements on behalf of one party.
- Noted the item that the committee recesses for closed deliberations, including review of all available documents.

Questions:

- Senator: Thank you for sharing this document, which few people see. I have concerns that this process and procedure has been unchanged for 20 years when clearly many aspects of this topic have changed. Legal Affairs has provided a document of process and procedures that hasn’t been updated for 20 years and might be in conflict with current University and Faculty Handbook policy and procedure.
  - Answer: noted, and vetted by Attorney General’s office. There are questions that people have about this process and I anticipate that in the future this process will be reviewed. It is important to note that all the work that people put into the various committees regarding tenure or detenuing are important processes that should be reviewed from time to time and as necessary. But important to note that in the middle of an actual process, might not be something that we want to do. But there was a lack of knowledge about the process.
- Senator: it has at this point been a year since our department considered a case of detenuing and dismissal, this should’ve signaled to Legal Affairs that a review of these documents and guidance was in order. There were several cases that came up around the same time, and began shortly after Faculty Senate had put into place new procedures for dealing with cases of potential sexual misconduct. These are difficult cases to judge and work through. We really need to review these documents and procedures and ensure that they are internally consistent because the alternative is unacceptable.
- Senator: support senator, and also, student safety should be the priority and we should figure out what needs to be done to ensure that.

Next meeting: April 5<sup>th</sup>, May 3<sup>rd</sup> on Teams.

We do not know what Fall will hold for Faculty Senate meetings, this will be an ongoing consideration.

Elections Update: Ana L. Rosado Feger, Elections Committee Chair

- We are undergoing a reapportionment process to account for our change in population.
- Four step process: Census – Apportionment – Nomination – Election
- Apportionment detailed in PPT file attached.
- Elections will take place via Qualtrics in early April.

#### Executive Committee:

- Resolution to Implement the Recommendations of the Academic Policy and Process Group Regarding the Instructional Evaluations – First Reading
- Summary: extend to Spring the resolution for Fall
  
- Resolution Regarding Privileging the Academic Mission When Allocating University Resources – First Reading
- Summary: Request that the EVPP have a key role to privilege the academic mission when it comes to resource allocation decisions.
  - Senator: Many members of the P&T Committee felt the original formulation for this resolution better reflected the sense of urgency. Would like to original draft wording restored, which asks that the Vice President of Finance and Administration be placed under the dual supervision of the President and the Provost. We seek to change the flow of authority in budgetary decisions at the highest levels and make the Provost a necessary and fully empowered link in this decision-making process. This is a structural administrative measure to make sure academics is prioritized.
  - Senator: Echo Senator, and make clear the discussion was not about any specific person but about making sure that the academic mission is always at the table and prioritized. We have another position that has a joint supervision model, Chief Innovation and Strategy.
  - Senator: alternative formulation copied into the chat.
  - Notations and comments will be taken to Executive Committee.
  - Senator: Can you give a rationale for Executive Comm’s proposed changes?
    - Answer: There was a lot of discussion about this resolution in Exec, and a feeling that it might be too specific/personalized in the context of what is happening right now. Wanted to highlight the priority of the academic mission without singling out an individual.
    - Answer #2: Dual reporting, there’s precedent with one part of the university but no precedent with this combination, and consideration to Provost’s probability of signature.
  - Senator: We are proposing a measure to exist regarding who occupies either office. We are proposing a measure to change the structure to keep instruction and academics supported and prioritized.
  - Senator: Faculty handbook already prioritizes the academic mission. Support original wording.
    - Answer: changing the reporting structure might be beyond what the Provost can do. We want to draft something that is forward-thinking, strengthening shared governance.
  - Senator: Can we make this a Sense of the Senate resolution?
    - Answer: we can consider that for April 5<sup>th</sup>.
    - Senator: I would support this.

PRC: Senator Miller

- Met in Feb to discuss P&T guidelines. Met again with Provost.
- Issues: language in Instructional Faculty contracts, and multi-year contracts.

P&T: Senator Wolf

- Worked on P&T Guidelines. Provost will be replying with her suggestions/changes.
  - Guidelines written with OheOHIO and equity in mind.
  - Considering what allowances are appropriate for probationary faculty, because “time” might not be the only factor.

EPSA: Senator Pueschel

- No resolutions tonight. Thanks to everyone who has contributed to the Alternative Grading Policy for our students.

F&F: Senator Clowe

- Greg Fialko will come present at April 5<sup>th</sup> meeting.
- Extra step in drug approval process.
- No news on budget.
- Facilities: Chubb Hall will get HVAC replacement. Unknown whether it will need to be vacated.
- Planned outage for The Ridges to replace failed cable.
- Sustainability Plan review will come to F&F.

New Business: None

Move to adjourn: Rosado Feger/Marchenkov

Adjourned, 8:33 pm