

THE UNIVERSITY OF TOLEDO Approved @FS mtg. on 9/15/09
FACULTY SENATE
Minutes of the Senate Meeting of September 1, 2009
<http://www.facsenate.utoledo.edu>

HIGHLIGHTS

Dr. Lloyd Jacobs, President of the University of Toledo
Krystalyn Weaver, Student Body President
Charlon Dewberry, Managing Attorney, Student Legal Services

Note: The remarks of the Senators and others are summarized and not verbatim. The taped recording of this meeting is available in the Faculty Senate office or in the University Archives.

President John Barrett called the meeting to order, **John McSweeny, President-elect** called the roll.

I. Roll Call –2009-2010 Senators:

Present: Anderson, Ankele, Barden, Barlowe, Barnes, Barrett, Baumgartner, Brickman, Caruso, Chiarelott, Coventry, Crosetto, Denyer, Dowd, Dupuy, Fink, Fournier, Giovannucci, Grothaus, Heberle, Hoblet, Horan, Hornbeck, Hottell, Humphrys, Jorgensen, Kennedy, Kistner, Laux, LeBlanc, Lee, McSweeny, Moore, Niamat, Nims, Oliver, Olson, Peseckis, Plenefish, Powers, Randolph, Rouillard, Sheldon, Shriner, Skeel, Teclehaimanot, Thompson-Casado, Tietz, Wedding, Wolff,

Excused absences: Duggan, Gunning, Jenkins, Malhotra, Marco, Nandkeolyar, Piazza, Regimbal

Unexcused absences: Elmer, Metting, Solocha

A quorum was present.

II. Approval of Minutes: Minutes of 4/28/09 meeting approved as distributed.

III. Executive Committee Report:

Executive Secretary Nick Piazza is asking the Senators to introduce themselves before speaking to get the speakers' names recorded accurately in the minutes.

President John Barrett:

Welcome back everyone. I want to thank everyone for serving on the Senate this year. I also want to thank a lot of you who worked this summer on the Finance & Strategy Committee, on the Faculty Senate Executive Committee, attending Board meetings, etc., and it's very much appreciated by me. The Faculty Senate Executive met regularly with the Provosts and the President, several of us attended the Finance & Strategy Committee meetings, and Board meetings. There is a lot going on with the budget, the furlough discussions, etc., and we were busy trying to get input where we could.

We will have few changes and the way we run Faculty Senate meetings this year. First, we will not be printing the agenda and other items; the budget just doesn't allow it, so please print things yourself. We plan to mail the agenda for the meeting on the Thursday before the meeting and re-mail it on Monday or Tuesday morning the day of the meeting so that it goes to the top of your mailbox. Secondly, after my report and the Provost's report, I would like to introduce open topics from the floor. It's not my intention necessarily to debate and resolve issues before us at

that time, but rather to make sure we get ideas and issues in front of us, and while we are all here at the beginning of the meeting. If it's a minor item or an urgent item, we might discuss it. It's my intention just to get the issue out; at that time we will decide if the issues should be discussed at the next meeting or assigned to one of the Senate committees to be handled. Also, I would like to add 'Action Items', if we need to vote on something, right after the 'Items from the floor'. I also plan to tell the speakers how long they have and hold them to it. Out of respect for President Jacobs' time and office, we will allow him to speak as long as he wishes to.

I would like to discuss my goals for the year. I plan on improving the work on shared governance. We have regularly scheduled meetings throughout the year with the President and the Provosts, both as an executive Committee and me personally. We already have a representative on the Board's Student Affairs committee, thanks to the work of the Executive Committee last year. The Board Trusteeship Committee has proposed at its last meeting that we add a faculty member to every other Board committee other than the Trusteeship committee and it's my understanding that it will be brought up at the next Board meeting, hopefully for approval. So I think that's a major move forward.

Another thing I would like to see us work on that I'm struggling with even more than shared governance is bringing the cultures of our two campuses together. This will be a very tough thing to do having no budget to have some social functions to get to know one another better. I am open to ideas. I am hoping to have some brown bag lunches on each campus for people from the other campus come and talk about teaching innovations and research innovations that they have. I am thinking of putting an ad hoc committee together and if any of you would be interested in serving on it please let me know. I personally have enjoyed getting to know my colleagues on the Health Science Campus. I made some very good friends. Also as a result of getting to know people, I found out what a wonderful medical resource we have. I even have changed all my doctors to the UT services and I have been very pleased with the results.

My third goal for the year is I want us as a faculty to remember that we are here to educate and serve our student population and I want us to think about being more responsive and attentive to students, and as a symbol of that commitment I've asked the President of the Student Senate, Krystalyn Weaver to speak at our first meeting today, and I have also told her to tell us what we can do to better help the needs of students.

The final goal I have is to help move the faculty and the Faculty Senate to a more proactive role. I think too often we spend our time responding to administrative agendas and administrative ideas, and I think the administration wants us getting out in front of the curve and make proposals in the first place, for us to take charge of issues and I really would like to see us do that. I have a few issues I intend to bring up at future meetings and I welcome any that you may have given the challenges that face the university.

For Senate business issues, you were informed that all senators are supposed to sit on at least one committee and you were asked to pick the committee you would like to serve on. If you don't pick one, one will be assigned to you. So please send in your choice by end of this week.

The Executive committee just received a proposal on populating a number of important Health Science Campus committees that don't report through the collective bargaining line, so that's a topic that will be coming out in the near future. All the colleges but two have submitted a college governance document, so very soon we will have met all the college governance provisions and will be able to drop that from the Senate Constitution.

Lastly, this is the year to evaluate deans who have served two years or more, I don't know all the details of this, but I know we will have to get a move on this project.

A couple of announcements. The College of Nursing is closing its Associate of Applied Sciences in Nursing Program. The last entering class is this fall and will graduate in 2011. The program will then be phased out.

Second, we came to an agreement with the administration that policies that affect the faculty should not be put into the pipeline for comment in the summer when a lot of the faculty are not around to make comments. Hopefully this makes it easier for us to feel that we all are working towards the same goal. There was a major policy on misconduct proposal that was put forth and then pulled. Mike Dowd, John McSweeney and others have been working with Jim Trempe on the policy to modify it to hopefully meet the needs of all, and we will be getting a report on that at a Faculty Senate meeting later in the month. Then the policy will be re-submitted for comments. In connection with that I urge you that you regularly check the policy page on the University's website that announces upcoming policies that are open for comments. There are a lot of things going on there and it's important that faculty groups comment on those policies. You can also get an email with these proposals from Elizabeth Hagen. A couple of policies that have a September 18th deadline you may want to take a look at: A policy on travel reimbursement policy and one on outside consulting. This is the end of my report. I know that it will be a productive year. Please let me know what I can do to make the Faculty Senate better serve the goals and needs of all of us. Next is Provost Haggett with the Provost's report.

Provost Haggett:

Provost Haggett Report to Faculty Senate
Sept 1, 2009

- Welcome back, where did the summer go?
- You have a full agenda for today's meeting; want to mention a few things on my mind as we begin the 2009-2010 Academic Year

BAJ

- Thanks to Faculty Senators and other faculty who worked so diligently on the conversion of the course affectionately known as FYI to now being affectionately know as BAJ as part of the work on the Academic Journey
- You'll recall that last year Senate went back and reaffirmed the original intent and learning objective of this class
- Very important for retention
- 16 excellent lessons plans and website supporting all BAJ instructors, including new ones like me

Academic Journey

- Work continues
- Thank those faculty who have through their own volition have begun to weave in to their courses the curricular themes:
 - Shrinking Cities: Human Environments in Transition
 - Health, Wellness and Community
 - Science and Sensibility: Ways of Knowing

- Sustainability
- looking forward to seeing more work in this area throughout this academic year

Transformed Courses through the Sam Carson Course Transformation Program

- Thanks also go to the faculty who transformed their courses during the summer
 - Math 1200 Algebra for College Students (Bill Thomas, Lihua Chen, Theresa Myers, Friedhelm Schwarz, Sibylle Weck-Schwarz)
 - Math 1260-1270 Calculus for Business with Applications I & II (Elaine Miller, Lihua Chen, Kathleen Fischer, Terry Simon)
 - EEES 1130 Down to Earth: Introduction to Environmental Sciences (Michael Weintraub, Ann Krause, Christine Mayer, Daryl Moorehead)
 - Phil 1000 Evidence and Reasoning (Ben Pryor, Charlie Blatz, Madeline Muntersbjorn)
 - Engl 2950 Scientific and Technical Report Writing &
 - Engl 2960 Organizational Report Writing (Barbara Schneider, Anthony Edgington, Eliot Adams, Sabrina Peters-Whitehead, Michael Piotrowski, Mary Beth Ness, Paul Wise)
- These courses are being taught this fall

Prof. Friedhelm Schwarz: Correction on the Math 1200, it used to be called Algebra for College Students but the name was too close to College Algebra and it was confusing people and now it's called Mathematical Modeling and Problem Solving.

Provost Haggett: Duly noted. Thank you.

- Eight Summer Faculty Teaching Fellowships supported faculty who redesigned courses in *Geography, English, Geology, Theatre and Film, Marketing and International Business, and Gifted Education* in JHCOE

UT Learning Ventures

- The new organizational structure that combines the former CTL and Distance Learning Office to support new approaches to teaching and learning with an emphasis on blended courses

Senator Anderson: Would you say this included Distance Learning?

Provost Haggett: Yes, it does.

- Blended courses focus on active learning approaches that combine face-to-face with the use of technology; also called hybrid courses
- In the next few days, you will see an invitation for faculty to nominate others or apply themselves to be the leader of UT Learning Ventures
- Note that the student observer program will continue in UT Learning Ventures; in fact, we have reallocated resources to double the budget available to that program

Higher Learning Commission (HLC) Self Study

- UT's next accreditation visit will occur in Spring 2012 but work has already begun.
- Steering Committee chaired by Thea Sawicki and Tom Sharkey on a chair for each of criterion
 - I. Mission & Integrity: Chaired by Charlie Blatz
 - II. Preparing for the Future: Bryan Pyles
 - III. Student Learning and Effective Teaching: Connie Shriner
 - IV. Acquisition, Discovery and Application of Knowledge: Charlene Czerniak
 - V. Engagement and Service: Moji Tihamiyu
- Over 80 letters being sent out to members of the campus community to serve on these committees.
- A campus-wide kickoff will include a visit by our HLC liaison, Dr. John Taylor, on Oct 14-15.

Review and update of College Diversity Plans

- Another matter to be addressed early in the semester.
- Upon the recommendation of the UT Diversity Committee (and because it is time to do so), I be asking the Colleges to update their College Diversity Plans.
- A template, an outline (created by the Diversity Council) and trend data (that will be supplied by IR) will be given to the colleges to make the task easier and to provide consistency in format.
- These plans will ultimately be posted on the web.

Now, a matter that requires your good wisdom and a willingness to work with your colleagues on ways to deal with the potential consequences of H1N1

- Cases of novel H1N1 already have appeared on many college campuses, and given the nature of a university environment, we expect to see cases this fall and strongly encourage all members of the UT community to take the standard precautions adopted during the

- regular flu season and to play an active role in all of our public health prevention efforts,
- Share with your students the precautions to help prevent the spread of disease.
 - Practice good hand hygiene
 - Cover your nose and mouth when you cough or sneeze,
 - Do not share food, drink or utensils
 - Stay home or in your off-campus or residence hall room if you are sick
 - But this leads to what I'm asking you to think about. A Plan B if many of your students or if you become ill
 - Alternate delivery of course material
 - Alternate way for you to deliver your class
 - Flexibility with your personal attendance policy for your students
 - Flexibility on the impact of attendance on the final grade

Thank you for your attention. Have a wonderful start to the semester.

Senator Hoblet: There is a rumor that the H1N1 virus has been confirmed on the Health Science Campus, is that true?

Provost Gold: Yes, it is confirmed in one of our international students was hospitalized and spent a few days in the Intensive Care Unit who is now recovering and I believe is discharged.

Senator Heberle: This U.T. Learning Venture. Will John Gaboury be appointing persons to that?

Provost Haggett: John has been working very closely with me and will have that report to me to get it up and running.

Senator Heberle: Is this the director's position?

Provost Haggett: That 's the director's position we will be recruiting for.

Senator Dowd: Just to follow up, will you be starting a national search for the two vice-provosts you have in your office, Penny and John? They have been interim for over two-years and, also, do you have any plans to make those permanent positions?

Provost Haggett: I do want to make them permanent positions, but we will probably not go for a national search because of budgetary issues.

Senator Dowd: Will you start an internal search? If so, when?

Provost Haggett: Probably so.

Senator Barden: Would it make sense for the UT Learning Venture to be housed within the Learning Collaborative?

Provost Haggett: This is another initiative of the Provost's office and I think that's where it belongs right now. I will think about that.

Senator Jorgensen: I was pleased to read that the policy on limiting credit hours by conditional admit students was rescinded, which was the right move. I hope one of the lessons from this is that because the faculty have responsibility in the area of academic regulations, that future changes would start with the Senate's Academic Regulations Committee.

Provost Haggett: Thank you for your comment.

President Barrett: Can we have a motion to approve the minutes from April 28. Motion was made and seconded. *Minutes approved.*

We have three Action Items:

- Each Fall at the Faculty Senate meeting we are charged with approving the candidates for degrees at commencements, and this year the dates are December 19 in the Fall and May 8, 2010 for the UT Spring Commencements, and May 9, 2010 for the Law School Commencements. It's a log item and no need for a motion; we just need to approve it. All those in favor, please say "Aye", opposed, "Nay". Approved unanimously.
- Dr. Roland Skeel had to resign from the Faculty Senate Executive Committee this summer because of other commitments, and we have to appoint his replacement from the Health Science Campus. Only HSC faculty can nominate and vote on this. In the nominating process last Spring we had a tie, where Max Baumgartner received the same number of votes as Roland Skeel and Roland won in the run-off. If there is a potential nomination out there, please let me know.

Senator Hoblet: I move that Max Baumgartner be nominated.

It was seconded. It was then moved that nominations be closed. It was seconded.

Max Baumgartner is the new member-at-large rep from the Health Science Campus and on the Faculty Senate Executive Committee.

- We have to elect two members to the Athletics Committee, the nominees must receive five nominations, three of which must be from colleges other than that of the nominees. We received two nominations, ballots were sent to you this summer. Jamie Barlowe and Kris Brickman received a nomination, and in the interest of fairness I will ask for nominations from the floor. If there are no additional nominations can we close the motion?

Senator Dowd: Made a motion to close the nominations. It was seconded. Motion passed.

President Barrett: Kris and Jamie are the new representatives to the Athletics Committee. Now I would like to invite Dr. Jacobs to speak. Obviously there is a lot going on at the University and I am sure he has much to tell us. In the spirit of shared governance and congeniality I am asking that we are appropriately respectful in our questions and in our discussions.

President Jacobs: Thanks John, thank you all for being here. As it was suggested, there is a lot going on. I would be happy to spend some time on questions and answers to attempt to deal with those issues and I will try to be fairly brief and hit some highlights on four or five issues that require some attention. Recognizing the fact that our Strategic Plan is now three years old and I will talk briefly about that. I would like to enunciate the institution's compensation philosophy and speak of some examples of how that compensation philosophy is implemented. I will speak briefly about our furlough plan, a new program called UT Works, and finally I will follow up about the Board committees and the faculty membership on them.

Three years ago, right after the merger of the two institutions, a large group of people sat down and started thinking about the strategic plan, strategic directions for the institution. That process was moderately difficult; so many people were asked to participate, 35-40 people, to begin those deliberations. Part of the reason for that was to let people to get to know each other and get the consensus statement and the common vision. I would say that process was convoluted, a little difficult, but ultimately produced a document that served us very well for three years. Indeed, I think it still is excellent.

But I think it's time to take a look again at that document. During the three years a number of things have happened. The world has changed pretty dramatically. The Pell Grant eligibility has changed, the governor in Columbus has changed, from one that frankly didn't care about higher education to one that is strongly committed to higher education. Another thing that has changed, whoever could have dreamed, three years ago that there would be an African-American in the White House. The State has proposed that it implements its own strategic plan, speaking of the grouping of the university systems of Ohio as a systematic group, a tremendous amount of change

and then of course, the huge change in our world concerning the economy and the difficulties in the current times.

That document that we call '*Directions*' has about seventy-odd items in it. I would say when one looks at that document closely, well over fifty of those have some very significant progress that has moved forward. I think it's time to take another look at those seventy items and those where we have not made much progress and decide whether we want to delete them as having no relevance in the current time, or renew our commitment to them. Think again how to do that. Some of them where we made progress, we might close. I am proposing that we take a systematic look at that document called '*Directions*.' I would be very happy if we looked carefully and said, no, nothing needs to be changed. I suspect, however, that there will be some things that will need to be recalibrated.

So, a lot has changed in the last three years not the least the rapid growth of for profit universities, a change in the system, in the organization at the State level of the regions, and a dramatic change in the regions in the State of Ohio. We will be looking at all those changes. That process, I hope will began on the 17th of September, in an all-day session of the Executive Committee of the Faculty Senate, the senior leadership team, vice-presidents and out of that we hope to formulate the process of re-looking, re-calibrating the '*Directions*' document. In the interval, I'm interested in your input. Do we start all over, erase it and start again, or go through the document currently exist and begin from that document? We will talk about all that on the 17th. The Faculty Senate Executive Committee I hope will be there. I will take emails or other communication suggesting how to go about that. As far as re-visitation of that strategic plan, I am completely open.

Secondly, I would like to speak for a moment about the institution's compensation philosophy. We have a stated written conversation compensation philosophy and that philosophy is that we pay at market value for whatever job ranging from custodian to construction manager to faculty members to vice-presidents. Whatever the market value is, we believe we should pay in the fiftieth percentile. The purpose of this philosophy is to bring and keep the very best people to northwest Ohio for the purpose of carrying out our mission. So we pay at market value with an adjustment for performance, plus or minus 20% for performance generally speaking.

That philosophy has been used and implemented for the past three years in every way we can. Generally it has been in place at the old institution well before the merger. Although maybe not enunciated quite that way. Let me give you an example. Mark Chastang is the hospital director of the UTMC, the hospital side, not the physician side. Mark's compensation is within the range of \$200,000 with a \$20,000 bonus for performance. The performance is measured as a positive margin. During the past year, Mark Chastang was recruited by Sinai Hospital in Miami from a field of about 20 or so people, and ended up as one of the final two finalists. I believe had he gotten that job he would have gone there, but as it turned out the other person got the job. Mark was the runner up. To speak of the market, the person who got the job at Mount Sinai is being paid \$900,000 a year. So Mark missed by a hair a \$900,000 job. As long as we are speaking of paying at market value for coaches, physicists, foreign language teachers, we have to take into account that phenomenon, just or unjust as it may be, we have got to pay at market value if we hope to be competitive, and if we hope to keep people like Mark Chastang here. So I actually thought, Mark, the margin is narrower this year than I like, but it's still in the black so we are not going to be able to pay you at the end of fiscal year '09 the ten percent bonus for a positive bottom line. I suggest to you that he will be out of here in the matter of months, given this kind of salary structure, given that kind of market for people with his skill set. I believe the mission of this institution which is implementing our mission is implemented by bringing here the very best we can and try to keep them here as teachers, administrators, and others is implemented by a compensation philosophy that says we pay at market value plus or minus ten or so percent for performance. I wanted to face that directly. There are many other examples I could give.

Fundamentally, however, the people at the upper end of the organization are not paid at the market value, most of them are below market value, provosts and others at that level. Vice presidents are paid at below market value in spite of the fact that we are trying to push toward market value. We've tried to push to market comparisons in other places. We have had equity studies and invariably we've tried to bring them up to the fiftieth percentile. In the recent AAUP discussion at one point the negotiating table came to me and said, 'We think we can impose at this salary level.' I said, 'How does that put us in relationship to the market level, if it's still below?' I said, 'Push it up another percent in an effort to bring us all to the mean of the market value, as one of our commitments and philosophies.'

Senator Olson: I don't remember that statement during negotiations.

President Jacobs: Others do. Patsy, do you remember that?

Vice Provost Komuniecki: Sorry, although I was asked to be on the negotiating team, I was unable to participate since I was sabbatical that term.

President Jacobs: Do you remember the conversation in which we talked about in the AAUP negotiations to push it up another percentage to try to raise it to market value?

Vice Provost Komuniecki: I'm sorry I can't help clarify this issue because I was out of the country on sabbatical during the negotiations. Perhaps someone who was at the table could help answer this question?

Senator Olson: I'm looking at the negotiating team and they all are shaking their heads.

Interim Exec. Director/Vice Provost Peg Trabant: I think you are referring to a conversation where the team representing management was in your office not at the negotiation table.

President Jacobs: Whether at the negotiating table or at the smaller group, my compensation philosophy has invariably been push it to the mean of the appropriate market value.

I would now like to talk about the furlough approach. We have now laid off 60-70 people over the last few months. And I think that's as many as we can tolerate. We can't move much beyond that. Another way to try and balance the budget of 2010, is for all of us to take a furlough day. Others are doing this and we propose to do that. Generally speaking, my guess is it will require one and two days of furlough, and we hope to accomplish by that somewhere in the range of \$1.3 million. We will do it between Christmas and New Years' at the time when students are not here and the hospital census is low. It's my hope that we all will participate. It will be done between December 24th and January 2nd. We can save significant money if we can close buildings and save on energy, heat and lighting costs.

There are many functions at the university that can't close. There are animals to be fed and live cultures to be kept warm. There are security issues, police, bedside nursing, obviously and even administrative functions that need to take place during that time such as payroll preparation that will be taking place during that time. All those issues need to be gathered and put together and accounted for. Suffice it to say we won't shut buildings down or let the pipes freeze. If you have a culture to attend to or an experiment under way and can't be held, please let someone know, your chairman, or dean and we will make arrangements for those buildings to be adequately heated. We want to make sure we don't shut out any important functions in that period of time.

Layoffs sort of cut in vertically. This cut is a cut horizontally and everybody, I hope, will participate. I will participate, the janitors will participate. Let me tell you about the non-bargain people who will be asked to participate. PSA type people under \$40,000 did get a raise or will get one, one furlough day. Between \$40,000 and \$100,000 people did not get a raise, will get one furlough day. Over \$100,000 there will be no raises and they have two furlough days and so we try to do a gradation of the pain in those three categories.

Senator Tietz: Could you clarify that a non-bargaining person on the Health Science Campus include the HSC faculty?

President Jacobs: We are not clear at this point. I cannot clarify but I will as quickly as I can.

UT Works is a fancy name for a function that I want to mention to you. We have tried very hard throughout all of this, when layoffs are necessary, to give every level of support to people who are affected. So we want to formalize it and make it better little bit if we can. But I would remind you that both in the previous wave of layoffs and the current wave of layoffs by strict management control, we have been able control to delete about two-thirds of the positions deleted that had been empty or only one-third full.

So in this recent effort to meet the State decrement of another \$8 million about 40 jobs were deleted and two-thirds of those, or about 30 are not occupied and only about 15 of them are occupied. So, it's a relatively small number of people affected. However, we are putting together a program and those people will be able to spend their notice period, and perhaps beyond, writing resumes and they will get preferential attention and treatment for other jobs that may come open on either campus. We will maximize their retraining possibilities and attempt to try and place them in other jobs that may come open. That effort is called UT Works and we are assigning people to work very hard on placement, retraining and preferential selection for other jobs that may come open. Again, this is an effort to try to be as humanitarian as we can under those circumstances.

Senator Wedding: Mr. President, on that topic, I have knowledge of a single Mom who was terminated and her unemployment benefits were opposed by HR and the University Legal Council. Through much effort by some good folks, we were able to get her unemployment benefits because the reason used by HR was seem to be bogus. To terminate someone, in this case a single Mom, and to hold up her unemployment benefits for 3-4 months was not very humane.

President Jacobs: Dr. Wedding, I don't know what case you are talking about, I think I know. In case I am right and if I am not right, I am going to mention a couple of other cases in the last several months a number of people who were terminated for cause. Not for budget reasons but terminated for cause. Whether this instance of which you are speaking is amongst them or not, I don't know because it wouldn't be appropriate for either you or me to mention by name at this point. But, if you are terminated for cause, as the recent member of the finance organization on the Health Science Campus was terminated for cause, the rules are different, and would not be eligible for this UT Works. If you want to talk to me a little later about this particular instance, I will be happy to look at that.

Unidentified speaker: Given the size of our medical center and the services offered, what kind of options are being offered, when they are laid off, for medical insurance besides the very, very expensive COBRA plan.

President Jacobs: At this point only COBRA is in place. We tried to put in a more lenient plan, but there are federal rules against it, and we couldn't get the federal administrators to listen. We petitioned but couldn't get their attention.

Senator Hottell: I would like to request that you give more thought to whether or not to exempt nine-month faculty from this. You mentioned foreign languages a few moments ago. I'm a Chair of Foreign Languages. Nine-month faculty workload has been particularly hard hit by retirements. For the moment, we are hoping for positions later, but for the time being, to hit these people who are already working extra hard, I think you need to rethink the nine-month faculty.

President Jacobs: I will rethink your request. Why don't I finish one more thing and I will then take your questions for as long as you like. I will follow up on a comment John Barrett made on the Board committee membership. I think that is to some extent still in process although a resolution will be considered by the Board of Trustees in September. There are two aspects of it, two sides of it. One is a definition of the role of the faculty member, and the other is inclusion in additional committees. I don't think it's finalized, although there was a suggested list that I felt good about and indeed felt pressed for. It's my hope that the resolution is passed by the Board of Trustees. I will be happy to discuss that with John. Those are my items now I will be happy to take as many questions as you like.

Prof. Friedhelm Schwarz: I want to ask a question on the furlough days in UT News. You say that since the University will be closed we can use vacation days, comp time or go unpaid. Nine-month faculty members can't offer any of those, which means nine-month faculty has to go unpaid, and nine-month faculty members have to go four furlough days, is that how I understand it?

President Jacobs: No, only by your own election. We are hoping that we could close enough so that we could have two furlough days and people can take a couple of vacation days in order to close the place down.

Prof. Friedhelm Schwarz: Nine-month faculty don't have vacation days.

President Jacobs: Is that true?

President FS John Barrett: As I understand it, having sat on the Furlough Committee, the nine-month faculty don't have vacation days so this doesn't really apply to us. You will be paid the other two days. It may be that your building may not be open on those days, depending on departments. It's not that you will lose four days of pay.

President Jacobs: If that's not clear, we can clarify it. It is not my intention and it is not necessary for anyone to take four furlough days. On the other hand, I would warn you that we may need more furlough days in the spring. It is not at all beyond the realm of possibility that there will be furlough budgetary rescission in the spring. States like ours and the cycle that we are on often occurring in February as it did last year. I think we have to hold our breath to make sure that there are no further budgetary shortfalls.

Senator Olson: Mr. President, do you believe it's either wise or good for the university to have two or three classes of personnel, one which has six digit salaries, receives double-digits percentage bonus and five figure salary raises. The remaining two classes of personnel who receive salary raises or merit, raises limited to 3%, receive greater share of the pain of furlough days due to its regressive nature, and with at least one of the personnel classes subjected to majority of the layoffs?

President Jacobs: I believe that the compensation philosophy is market-based. It's essential and necessary for universities like this. If we cannot pay market value, we cannot get coaches, football coaches, we can't get engineers, hydraulic engineers. I believe we recognize that we all live in a society that is market-based. You cannot recruit the kind of people we need and retain the kind of people that we need without compensation philosophy that is market-based and as an adjuster for performance. I wish the world were different. It will never be that hydraulic engineers make the same as custodians. So we have to pay custodians as well at the market mean and hydraulic engineers at the market mean.

Senator Olson: Let me follow up. You said at the Board committee meetings that we are all in this together; that was a comment you made. And yet it appears to me that we are not. We have one class of citizens getting double-digit percent bonuses, double-digit percent raises while the remainder are not getting that. When we have a furlough, yes, they take the same number of days as any other person; however, for them it's a very small perk compared to the magnitude it has particularly for somebody that is making only \$45,000. So how are we in this together?

President Jacobs: If you remember my comments, we are in this together in this furlough thing. We are not in it together with the hydraulic engineer pay schedule. We have to pay market value if we are going to keep people who bring special skills to this university and bright leadership to this university. There are other examples of those market classes, at the risk of embarrassing him talking about Jeff Gold's comparatory group. He brings special skills to the University of Toledo in a number of ways. For example, he sits on the liaison committee for medical school section of the American Medical Association. I have made every intent to pay him the mean. Aside of that, averaging it out assuming that any bumps, that is one salary level. Let me give you some figures of mean for medical school in this country. Once again, at the risk of embarrassing him. We won't be able to bring another medical school dean any cheaper than the figures I am about to give you. These are from the AAMC Report on Compensation, which I can supply you if you want. The mean is \$579,000 for medical school deans alone, \$651,000 for medical school dean who also has the responsibility for the physician practice plan, \$726,000 for medical school dean who also has responsibility for other health science school such as nursing, even higher than that

for people who have all those responsibilities plus a hospital. We can't keep people if we don't pay them at the market value. They will be recruited away within months if we don't pay them at that level. Instead of being flat across the board, it goes up and down. If you have longevity payouts, you can keep people longer. It gives them something to shoot for. It creates continuity. If you take my salary, Jeff's salary and all the rest of those salaries, and average them out so that they are not up and down in bumps and just convert them to an average level, almost all of the people I mentioned are below the market. Jeff is below that market to some significant degree.

Senator Heberle: Everyone else on campus is told we are in crisis – in other words, the University is in crisis except when it comes to following the norm of following market standards for administrative salaries. It really looks awful for the university to be handing out these bonuses when everyone else is being subjected to crisis talk, cut salaries, furloughs, layoffs, not enough staff to teach classes, an overwhelming increase in budget enrollment, no faculty hires to replace those who retire or even those people who drop dead on campus. Honestly, are you saying everything is a crisis for everyone else except for this one instance where we must follow the norm? What if this one year these bonuses were rescinded? Don't you think this really is not the best time to be following the norm of market competitiveness while telling us we are all in crisis?

President Jacobs: I suppose one could argue that respective point. Those were done at the end of last fiscal year, the time to do these things. If you finish out the year in the black, you've got to do what is contractually obligated. Very few of these bonuses were not contractually obligated. I have tried another principle. I keep our promises. I am not interested in breaking the contract with any vendors or any of the unions including the AAUP, CWA, or AFSME, and I am not particularly interested in breaking the contract with people who are contracted. I know it's hard to see for some people making \$40,000, but overall I believe that the compensation philosophy of paying market value with the reasonable adjuster for performance is the right thing institutions in this country to do.

Senator Thompson-Casado: Dr. Jacobs, I sat on the Equity Committee both times in the past recent years, and I'm very aware that we have a number of faculty on campus that are not paid the market value, and in order to bring them up we had set amount of equity money that we negotiated. We couldn't go beyond to give them any more money. If you look at the merit that faculty get for meritorious work it's not ten percent, it's one half of one percent. So once again you have two different classes on campus. When I look at my merit for this year I'm in the top part in my department, about \$300 this year. So it really doesn't compare. When you mentioned the numbers for other people for me, it's just mind boggling. And you are telling me I am going to lose one day pay, I'm the sole supporter of my family. How am I going to do this? This is the daycare, this is the groceries, this is the gas bill.

President Jacobs: I agree, there are still pay inadequacies, I think we have corrected a lot of them but not all of them. I will be happy to look at this particular case.

Senator Thompson-Casado: It's not just my particular case. It's all the faculty here on the campus, one half of one percent, that's our merit pay, one half of one percent of your salary. I just wanted you to be aware of what the concrete number is. For many of us in the Humanities, it's about \$300.00.

Senator Hottell: I do want to follow up on that comment and, at the risk of angering my colleagues who are twelve-month faculty, I really do feel it's important to take care of these people who are in the trenches every day. If you really want to take care of your students and have them have the experience that they need, it's imperative to make the full-time faculty feel appreciated. If you can figure out any way to do that, I would like for you to make that your high priority.

President Jacobs: We will certainly look at that.

Senator Anderson: It is my understanding that the furlough reduces the paycheck in that particular pay period.

President Jacobs: That's true.

Senator Anderson: Why isn't that spread out over the year? Why does it have to be one particular day out of a pay period, or two particular days?

President Jacobs: We could spread it out, not a bad suggestion. One of the things that was good about December is that it has three paychecks, so, this was good for people who are cash strapped. Spreading it out over the entire year and prorating it over 24 paychecks is an option that we looked at and it would be far more difficult. However, if we really thought that was the thing to do, which is not beyond the realm of possibility, we be happy to. We are particularly looking for a three paycheck month.

Senator Oliver: Some faculty are being paid on grants. How is furlough going to be figured out under those circumstances?

President Jacobs: Generally speaking for faculty or staff who are paid on grants, we will lose the grant money if we don't take it. We will have them work because I don't want to lose the grant money.

Senator Jorgensen: I just got back to campus a few weeks ago and I was struck by very significant negative morale on campus. As you know, I have been here a long time. And I would say this is comparable to some negatives in the past. I want to correct a few things.. December is a two-paycheck month, not three. You mentioned that at the Town Hall meeting that it was three. The University's official pay schedule says the there is official pay on January 1st. Another point, when I watched the news report that you were responding about bonuses. I will leave to AAUP the role of negotiating salaries. But in talking about the bonuses and the amounts you stated that the figures given by the AAUP weren't bonuses and the amounts weren't right. The document you submitted to the Board of Trustees uses the word "bonus" right next to those amounts. I'm afraid you owe an apology to the AAUP who published that information from what I can see from your documents was accurate.

President Jacobs: If you were to watch the entire tape of my interview with Channel 13, I did not say the numbers weren't correct, nor the document was labeled "bonus." I said it was mischaracterized. On that list were some people who had additional pay for official work. So that was mischaracterization. Furthermore, I don't think that the way the question was asked of me it was described as purely discretionary bonuses, when the great majority of what's out there were contracted for longevity bonuses. So watch the tape, if you can get it. I suppose we could get it from Channel 13. I do not think I misrepresented my position. I'm deeply sympathetic as we find ourselves in the place where a lot of people are suffering financially. On the other hand, as we finished last year around May and we ended up entertaining the question of whether we should do the customary year-end bonuses, I think it was the right decision to do it. Again, I remind you that the best way to think about this is not to look at the bumps in pay schedule, but smooth it out so that you are looking at the entire compensation package on the annualized basis, and almost all of the administrators who are on that list are below market or just at mean for their job categories.

Senator Jorgensen: The faculty bargaining unit members should have received a 3% pay increase last Friday and we did not. There is not a word from the administration about why we did not.

President Jacobs: It is coming, they are working hard, I am getting the data in, and it will be retrospective.

Provost Haggett: The data are now in and it's gone to production.

Senator Jorgensen: There should be an email to faculty apologizing for it.

Provost Haggett: There will be one going out regarding the status. They are working on one now. The 3% is in production, that was told to me just before I got here.

Senator Dowd: You say you are interested in market salaries and, as an Economist, I certainly respect that. But neither you nor most of the senior members of this administration were hired by a national search. Since you and they were appointed to positions and not hired from the market, neither you nor your top administrators have a market value. If you want to give them a market adjustment perhaps they should be forced to do what is required of faculty. That is, go out and get an external job offer. You cannot look to average market data for yourself or these administrators because they were not hired from the market. You quote the market, but do not ask your top administrators to actually face the market. That is only an observation. However, given the

budgetary problems we faced last year and the stress the university experienced from economic conditions, last year you turned to the Faculty Senate and asked us to help you through the difficult economic conditions we were facing. And the Senate stepped-up and tried to help you last year. Now I have to say that when I saw the recently announced bonuses, I feel that you completely betrayed the faculty and the Faculty Senate. You told us that for the financial security of the university you were forced to cut part-time instructors, visitors, full time faculty positions, "boutique" programs, and were forced to layoff staff personnel. You told us this at the time you knew you were going to give your top administrators hundreds of thousands of dollars in bonuses. While I cannot speak for anyone else, I can tell you that my morale has been crushed. Last year, based on the story you told us, I wanted to help you and I wanted to help this university. You traded on our loyalty to this community. I believe in The University of Toledo and I believe in our students. But I cannot believe you anymore. You make it so much more harder for faculty to just to come to work each day and for students to understand why they have to pay higher tuition. Your messages are terribly inconsistent. Whether you respond or not, I want you to know that you have left me really, really discouraged.

Senator Heberle: I was wondering why some campuses are taking furloughs and the faculty are given a chance to sign up for furlough days and why it is centralized here. It seems more work to try to centralize than it is to trust people to take the furlough days when it makes more sense given that our schedules are so varied.

President Jacobs: I think we will try to maximize the ability of faculty to take their leave when they indeed want it. Particularly faculty who have yeast culture, or whatever. We can also save a lot of money turning down the heat between Christmas and New Years, so that was part of the motivation and for buildings that don't have refrigerators, or require functions to try to turn down the heat to about forty degrees, and stay above freezing. That's why we are trying to maximize that possibility. Last one?

Senator Kay Grothaus: A couple of questions, will there be faculty raises to the non-union faculty on the Health Science Campus?

President Jacobs: Yes.

Senator Grothaus: Has administration and the Board of Trustees brainstormed to help morale on both campuses? Have you thought about that together?

President Jacobs: Yes. I am here and trying very hard and so is everybody else here. The Board cannot make morale better. Only we, you and I together can make morale better. Mike Dowd actually had a point in his expression of disappointment, that's helpful. Having at least verbalized it rather than internalized it, will hopefully begin to move the morale upward. I think we will get through this. This is not the greatest moment for the administration or for anybody. We will get through this and hopefully we won't have a budget rescission in February or something like that. So, we need to build morale together, Kay. I will continue and try to do that. Thank you.

President John Barrett: We will have Scott Scarborough come and talk about the budget in the coming weeks. I now want to introduce Krystalyn Weaver, Student Body President, I asked her to come and talk about issues of concerns to students.

Student Body President Krystalyn Weaver: I am the newly elected Student Body President of the University of Toledo, I am honored and humbled to hold this position. I am really excited for the new year. My morale is high. We're going through a hard time too. Our tuition is being raised. Mine is not, I have scholarship. My little brother is here and he didn't get a dime in scholarship, he didn't work very hard in high school. I understand that we are going through hard times. I'm sure you saw me on local TV and I'm critical of the administration. I would encourage all of you to share my high morale and recognize that we are all a part of a fantastic institution. I am so proud to be here, I am so proud to be a Rocket, I am a Rocket phonetic. I am shaking right now because of this high stress situation but I am really excited and we are still going to have a good year. I want to plead with you to think about your morale and how it's

going to affect your students. You are the ones we talk to every day. I don't talk to my parents, I talk to Mary Powers. That's how I decided what I'm going to do, she is my advisor. Your attitude towards our institution, our nation and everything what will affect our students every day. They make accusations and assumptions; students don't know what's going on it lowers our morale too. It kills me to hear these things and hearing rumors being spread. You can't believe the level of rumors going around on this campus until I started getting involved. You can do so much more for our institution if you just ask questions before making accusations. I get a lot of information from the Board and most of the rumors I hear that are not true. People get so upset when they hear things, and it's just a rumor. It's disheartening to me, the information I hear coming from my peers is that students hate going here because of these rumors. We have a fantastic institution, we have an amazing faculty, I hear about all these distinguished faculty awards. I just can't believe they are in our school and they are educating me. I am so proud and privileged of that. I believe in most of our administration that I work with. People that I work with Dr. Gold and Dr. Haggett and Dr. Jacobs, I think they all are fantastic. I am in meetings with them every single week and I see them when they are in their official business or here scripted and I really believe that they care about all of us. I want to thank you all and please think about all the hard times. I get angry and upset about how things are too and I still come up and smile and tell jokes and I'm glad to hear you laugh. I had the pleasure this summer to get to know several faculty members, Jamie Barlowe, people from the Academic Journey Committee, Finance & Strategy, I never really had a chance to interact with my faculty as much as I had this summer because of no big classes and things like that. This has been such a good experience for me to have these discussions and if you go to the Academic Journey Committee meetings, they're fantastic. We have such amazing discussions about education and society; it's really very interesting to me. One of my goals for this year is to increase those interactions with our faculty and to get to know you all better as people, instead of those people who give us those terrible exams. Sharing of knowledge is not just moving the facts, it's mentoring and telling us what to do in our lives, and how to make decisions. You are the front line that we have to go to and talk to and get to know as people. That's really valuable and I got a lot being on these committees with faculty but I don't want to be the only student that has this opportunity. So, anytime we are having student events, please come, it really means a lot to students to see you there. I don't really think the faculty know how much it means to students to see you there. We want to see you as real people. To us when you exchange that level of knowledge past education, I think it would really change the atmosphere here. Come to our stuff when we have it. I do have a blog, please look at it. I do need a faculty representative to sit on the Student Senate this year. If any of you would like to come and tell us what Faculty Senate is doing, our meetings are on Tuesdays at 8:15 pm. Another big goal for me is to increase communication. You see Dr. Jacobs and I and Rachel on the Presidential Perspective, I enjoy doing that, it gets a lot of information, I talk about my blog, just to share information with our students and help them understand what's going on on our campus at this level. Most students don't understand what's going on at administrative level, or the Faculty Senate level. So this will help them understand what's going on. Specific goals we want to work on in student government, we want to reform the general fees to get the students educated on what they are paying for, what they are getting out of it, to hold things accountable. We have a lot of new initiatives, Ashley Pryor will be our faculty adviser, anyone else interested in that is welcome. Increase campus involvement, getting the academic journey off the ground, help students understand what that means and how it will make our education better and our degree worth more. We do need a faculty member to sit on it. That's all I have. I again want to thank all of you for sharing your knowledge with us and I really appreciate the interactions that I had with those of you that I know. Please understand that really means a lot to us to reach out to our students and I think it will help out with our overall campus morale. Thank you.

President John Barrett: Lastly, we have Charlon Dewberry, who is the Managing Attorney of student legal services and she will talk to us about the student legal service and the concept and also how we need to get the word out what services are available so that the students can get the services they need.

Charlon Dewberry: I would like to take just a few minutes to explain the legal services program and how we can help the students who are in your classrooms. We have been here since 1995. It's an actual practicing law firm located in Snyder Memorial. We have licensed attorneys who can help students with a variety of legal matters. What we have found over the years is that students will go to faculty, to their advisers to get information about where they can go if in fact they have a problem. For example, if they have a dispute with their landlord, a car accident, a traffic ticket, or maybe they have a domestic situation, and they don't know where to go and where to get basic information. Our office can offer assistance, counseling or even court representation. Students pay \$10 per semester and it covers all that our office offers, includes office consultation, preparing documents, court representation, whatever it takes to get that matter resolved for a student. Our services can free their time and stress level, so they can concentrate on what they are here for, which is to get education. That means you don't have to have a student in your classroom worrying about being evicted. They can come and talk to a lawyer who can represent them and help them through that process. We can come to your class and do presentation in your classes about what our office offers. We see our job as being a complement to you as you try to help a student to be able to go forth with their academic career and we want also to help students be good citizens and be able to represent them in those situations that may come up. Everyone will have unexpected legal matters including students. The written information I provided to you today is a summary of where our office is located, types of matters we handle, what the fees are. Please feel free to contact me if you have questions, we will do what we can to assist you.

Senator Barnes: I foresee a student not knowing whether their fee is paid or not or whether eligible for your services. Is that something you can tell them instantly?

Charlon Dewberry: Yes, when they contact our office we get verification from the University's Registrar's Office whether they paid the fee. Even sometimes when the student has not paid the fee, we can get them in contact with other resources in the community that may be able to assist them.

Senator Anderson: You also represent them against the University?

Charlon Dewberry: No, unfortunately we do not represent them against the University, or against the Board of Regents, or the Board of Trustees. Because every student technically can utilize these services, we don't get involved in disputes between students themselves. But there are a number of mediation programs on campus that are really designed to help students in those situations, and we can get them in contact with those areas.

Senator Giovannucci: Are graduate students also eligible for these services?

Charlon Dewberry: All the student has to do is be enrolled and pay the legal services fee. It doesn't matter if they are taking one class or five classes or whatever. If you are a faculty member and taking a class and paid the fee, you also can come and see us. Students have each semester until the last day of add/drop classes to add the fee or take it off, this semester you have until September 8th. I thank you for your time and for giving me the opportunity to talk to you.

President John Barrett: Any items from the floor?

Senator Barnes: I have a question about the Rocket email a lot of students are reporting problems. It seems as though many problems are because they are not following directions correctly, I had one student who had to be completely eliminated from the system and added back in. Is there some systemic problem with that Rocket email, does anyone know?

Senator Heberle: I also want to know if it's hooked into my courses and all those other things, it doesn't seem to be.

Senator Anderson: Yes, that's a problem because at least five of my students in my course, I can't contact through that course list.

Senator Barnes: So that blackboard light is not working?

Senator Anderson: On My UT portal is not working.

Senator Hoblet: The only reason I know is because I have graduate student son who got the Rocket email. What happens is when they register and put in your pass code, if you stop that process at any time, even for interruption then it totally negates the process and it blocks that

student. Call the Help Desk, they walk the students through in five minutes or less and they get back on track. It's just getting thorough to Help Desk.

Prof. Friedhelm Schwarz: I have some issues to explain, if my students didn't get the message, then I contact the IT people, and they show a screen that shows that the students got the message. So the problem is that the students didn't properly register in the system. After the email system change, several of our students claimed that they were not getting our messages. We contacted IT, and they sent screen shots of the students Inbox showing that the students got the messages. In that case the problem was that the students didn't properly register in the new system.

Senator Jorgensen: I noticed that students get several GB for storage, and the faculty is still down to about 145 Megabytes so we have to clean out our mailboxes regularly. Are the faculty going to get as much storage space as the students?

President John Barrett: My answer is, no, this is a perk negotiated with Microsoft that was essentially a freebee for students with some other things they provide to students and to the university, but giving it to us would have been very expensive. I don't know if there will be additional space off our system to increase, that I cannot say.

Friedhelm Schwarz: Currently we have 150 Megabytes. It is my understanding that we will shortly have 200 megabytes.

Krystalyn Weaver: There have been a lot of issues with that. I don't think they have worked out all the kinks yet. I think they are still transitioning.

Rachel Wise, Student Body Vice President: A lot of students told me that their emails from the faculty have been going to their junk mail, so if they are not getting their emails, they have to check their junk mail.

Prof. Friedhelm Schwarz: Nothing will go to the junk mail if faculty and students use their school email address: firstname.lastname@utoledo.edu.

President John Barrett: The students use all kinds of email addresses so it's something that can happen.

Senator Teclehaimanot: The best way to solve the student e-mail difficulties is to contact the college-computing directors.

Senator Heberle: You mentioned at the beginning of your report about the two-year review of deans. Is that extended more to a question of evaluation of administrators more generally and how that's going to work from chairs on up?

President Barrett: I do not know all the specifics as to who is covered and who needs to be evaluated. I know it applies to deans who have been here at least two years. I believe it extends to other groups but I need to talk with people who know more about it. Do others want to comment on this?

Senator Jorgensen: The Senate administers an evaluation by faculty of the President, provosts and deans who have been here over a certain period of time. Chairs are only evaluated within colleges and not by the Senate. The evaluation of the deans is only done by faculty within their college and no one else.

Senator Hoblet: With the change of the governance structure within your colleges, once you draft your constitution that should be addressed and how often your administrative personnel are evaluated.

President Barrett: Anything else?

May I have a motion to adjourn? *Motion was made and seconded.*

V. Calendar Questions:

VI. Other Business:

Old business:

New business:

VII. Adjournment: Meeting adjourned at 5:50 pm.

Respectfully submitted,

Nick Piazza
Faculty Senate Executive Secretary

Tape summary: Kathy Grabel
Faculty Senate Office Administrative
Secretary