

THE UNIVERSITY OF TOLEDO
Minutes of the Senate Meeting of October 27, 2009
FACULTY SENATE

<http://www.utoledo.edu/facsenate>

Approved @FS mtg. on 11/10/09

HIGHLIGHTS

Prof. James Trempe, Sr. Director
Dr. Lloyd Jacobs, President, University of Toledo

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, **Nick Piazza**, Executive Secretary, called the roll.

I. Roll Call –2009-2010 Senators:

Present: Anderson, Ankele, Barden, Barlowe, Barnes, Barrett, Baumgartner, Caruso, Chiarelott, Coventry, Crosetto, Denyer, Dowd, Duggan, Dupuy, Fink, Fournier, Giovannucci, Heberle, Hoblet, Horan, Hornbeck, Humphrys, Jenkins, Jorgensen, Kennedy, Kistner, Laux, LeBlanc, Lee, McSweeny, Moore, Nandkeolyar, Niamat, Peseckis, Piazza, Plenefish, Powers, Randolph, Regimbal, Rouillard, Sheldon, Shriner, Thompson-Casado, Wedding, Wolff,

Excused absences: Elmer, Gunning, Grothaus, Hottell, Malhotra, Marco, Metting, Nims, Olson, Skeel, Solocho, Teclehaimanot, Tietz,

Unexcused absences: Brickman, Oliver

A quorum was present.

II. Approval of Minutes: 2nd vote of minutes of 9/29/09 meeting approved with revisions sent in late by Dr. Kaye Patten Wallace on pages 12-14.

III. Executive Committee Report:

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

President John Barrett:

President's Report 10/27/09

Over the past two weeks, the Executive Committee and I have continued to meet with the Provosts, President, Senior Leadership Team and even a representative of the Higher Learning Commission. We continue to press for more shared governance and to explain our faculty concerns about various issues to them.

In a somewhat related matter, there was some concern about the accuracy of some comments made at our last Senate meeting in this room concerning FSEC involvement with the development of Learning Ventures. While there is no doubt that Learning Ventures made a presentation to Faculty Senate last year, there did not appear to be any meaningful faculty participation in its design and creation. This highlights, once again between being informed of a decision and having meaningful input into making a decision. The FSEC continues to emphasize the important role the faculty should play in the latter.

On that front, the Board of Trustees is accepting nominations for the newly created faculty positions on the Audit, Finance, External Affairs and Clinical Affairs Committees. The nomination process is open through Nov.2, and parties may self nominate. After that date, I will be part of a group reviewing the nominations and making recommendations for the positions to the Board, with the final decision resting with the Board. The FSEC would like to send its own nominees, and so far no one has contacted me to express interest.

Similarly, we need a representative to the University Assessment Committee. We have also asked for volunteers for the ad hoc committees on bringing the cultures of our two campuses together and for determining the challenges facing the university and potential solutions. So far only one person has volunteer for either committee. We keep asking for the ability to give input into the decision making process of this university, but if we are to do this we must be prepared to step up and give it when asked.

In last 2 weeks, we received 2 new log items. The first one wanted to know what the university is doing about gender equity issues. The provosts will give a report on this at a future meeting. We mentioned this to them for the first time yesterday and we wanted to give them adequate time to collect any necessary information, so a report today seemed inappropriate.

The second log item requested that FSEC create a committee to investigate the effects having furloughs will create. However, this is precisely what the Furlough Committee is doing, so it was felt that for FSEC to create such a committee would be redundant, especially since its primary means of collecting data would be interviewing members of the Furlough Committee. I am already on this committee and have asked Bill Logie to add another faculty member who can report periodically on what is occurring to senate.

On a possibly related matter, there still seems to be some confusion about the Cost Savings Committee. It may be that this is the Furlough Committee, or it may be one of a group of committees looking at ways to cut costs in the hospital. Bill Logie thought it was the latter, but Provosts Gold had never heard the term. But unless we have a stealth Ninja committee running around that even the provosts don't know about, it seems likely that the Cost Savings Committee reference was meant to be to one of these two groups.

On the health front, Provost Gold will give an update on H1N1 during the Provost's Report section of the meeting, but I wanted to point out that this is becoming a major issue on this campus. The Main Campus Health Center is seeing over 60 cases a day and there are reports of students going to class sick. It is vital that we break the chain of transmission. It is important to stay home if you have flu like symptoms. As you no doubt recall, Senate has already passed a resolution calling on professors to loosen their attendance requirements and to not require a doctor's note. However, this does not appear to be getting the message across. Therefore, we have an action item to suspend the attendance policy through this academic year. Hopefully, Dr. Gold will be able to comment on the availability of H1N1 vaccines , but you should also know that on 10/31 the university will be holding Welloween in the Rec Center from 11-2. You will be able to get seasonal flu vaccine there. However, please be aware that you must wait 3 weeks between a seasonal flu vaccine and an H1N1 vaccine (Please note-Dr. Gold later stated that this is no longer the protocol). I would now like to read an email about H1N1 that was sent out to the A&S faculty: Students, Parents, Faculty and Staff:

Like many institutions, The University of Toledo is preparing for possible scenarios involving the H1N1 flu virus (also known as swine flu) and the conventional influenza virus (also known as seasonal flu.).

Novel H1N1 pandemic flu is widespread throughout the world. While this disease can be serious, fortunately, the vast majority of cases thus far have been mild and similar in most instances to typical seasonal flu.

Cases of novel H1N1 have already 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.

The University of Toledo's flu planning has been a college-wide effort involving personnel from Academic Affairs, Student Affairs, Safety and Health, Public Health, and the campus clinics, with general guidance provided to universities by the US Centers for Disease Control and Prevention (CDC) and specific input from our local health department.

The Centers for Disease Control and Prevention recommends individuals take a few simple precautions to help prevent the spread of disease:

- Practice good hand hygiene. Wash hands with soap and water multiple times each day and always after coughing or sneezing. Alcohol-based cleaners such as Purel are also effective;
- Cover your nose and mouth when you cough or sneeze, as the main way flu spreads from person to person is by droplets from coughs or sneezes. If no tissue available, cough or sneeze into elbow or shoulder as opposed to hands. Throw used tissues in the trash;
- Do not share food, drink, or utensils. Doorknobs, stair rails, and other common area surfaces should be avoided whenever possible; and
- Stay home or in your off-campus or residence hall room if you are sick; the advice is to isolate yourself from others until it's been 24 hours since you last had any fever.

We will make every effort to support the academic needs of students who are ill and unable to attend class. Related details will be available soon at www.utoledo.edu/fluprep.

If a student develops flu-like symptoms and lives in a UT residence hall, they are encouraged to go home both to receive better care and to help prevent spreading the disease. If this is not possible, students are asked to remain in their rooms until 24 hours after fever has passed as above and to wear masks for the sake of others.

How do I know if I have the flu?

The CDC definition of influenza-like illness is fever of 100 or more degrees plus either cough or sore throat in the absence of another known cause. Various other possible symptoms include headache or body aches, fatigue, runny nose, diarrhea, vomiting. Note that fever is part of the clinical definition of influenza; without fever of 100 degrees or more, influenza is highly unlikely.

If based on the above you or your physician suspects influenza of any type, you are asked to avoid contact with others until 24 hours after fever has passed (without the help of fever-reducing medication such as Tylenol or Motrin). Aspirin is not to be used if flu is suspected due to potential complications.

If you believe that you may have the flu of any type based upon the above described signs and symptoms, please contact your physician or the Student Medical Center 419.530.3451 or Health Science Campus Medical Center at 419.383.3000 immediately between 8am and 5pm. If you feel you are in need of emergency care, visit The University of Toledo Medical Center Emergency Room or your ER of choice.

Thank you for your efforts to keep all members of our campus community in good health. Our collective efforts can have a significant impact on the potential impact of this virus to our campus.

Finally, I would like to talk about some personal choices I have made recently. While this is not directly a senate matter, I feel this issue is important and worth bringing to your attention. About a year and a half ago I began sitting in on meetings as a member of FSEC and as President-Elect. In those meeting I was astounded by the amount of money UT spends when we choose to have our health care services provided elsewhere. Seeing this, I decided to take my health care needs in house- to support the University of Toledo. Quite frankly, I didn't see this as any big deal to me. I am not from this part of the country and I always assumed that if I had a serious health care need, I would take it elsewhere. The thing that has surprised me about my switch to UT is that I have been blown away by the quality of care I have received. I am now willing to have a broad range of serious procedures done here in Toledo should the need arise. If we all made this choice, it would add millions and millions to UT's bottom line. I see so many efforts being made to save modest amounts of money here and there. Recently a number of clinicians on the Health Science Campus have proposed forgoing there raises to help save jobs, and while this is a laudable act for which I have great respect, and it speaks volumes about the people involved. The amount that would be saved pales in comparison to what we can do just by choosing to use UT. Switching to UT health care services is the single easiest biggest impact thing we can do to help the financial condition of this university. I bring this up now in part because we are going through health care re-enrollment, and several of the plans have 100% coverage for UT services. Remember you must choose a plan by Nov 13 or you will not have coverage and no forms will be mailed to you. So bottom line, this seems like a no brainer to me- you save yourself money, save the university tons of money, and you get great care. If you are interested, I suggest you talk to one of your colleagues from the HSC, who I am confident will direct you to doctors that you will be happy with. If you don't know anyone from the HSC, you can contact Physicians Referrals and resources at 419-383-4444.

And now for the Provost's report.

Provost Haggett:

Provost Haggett Report to Faculty Senate

October 27, 2009

You have a full agenda for today's meeting, so I will keep my remarks brief

Higher Learning Commission (HLC) Self Study

- A campus-wide kickoff on Oct 14-15 with a visit by our HLC liaison, Dr. John Taylor,
- UT's next accreditation visit will occur in academic year 2011-2012, hopefully Spring 2012. We have submitted 3 dates and will know by the end of Jan 2011 the date of our visit but work has already begun.
- Steering Committee chaired by Thea Sawicki and Tom Sharkey an a chair for each of criterion

I. Mission & Integrity: 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

- Thanks to the over 80 people of the UTcommunity, people like Ruth Hottell Brian Randolph and Steve Peseckis, faculty, staff, students, administrators, Trustees and community members who are serving on committees.
- As we begin this self-study process, we have the opportunity to examine our post-merger progress as we continue to position ourselves to be a transformative force for northwest Ohio, the state and this region.
- Everyone is encouraged to make frequent visits to the UT Self Study web site, and, to send their input to the UT Self Study email. If you were unable to watch Dr. Taylor's presentation last Thursday, it is still available at UT Views. Or, if you prefer, there is a pdf version available on the UT Self Study web site.
- Web site: <http://www.utoledo.edu/campus/about/accreditation/index.html>
- Email: UTSelfStudy@utoledo.edu

I see that the proposed resolutions on your agenda today will be addressing two important topics today. Let me speak briefly to both of them.

Retention Task Force

- postponing what I was going to say about this

Academic Journey

- There is much that needs our attention, much that we can improve in higher education but **learning** should be at the top of any higher education agenda
- Learning is our core business and it has been for a very, very long time
- It's what we do.
- I know that you know that UT faculty know that too. Reflect on how much time you spend teaching or preparing to teach new things to your students.
- And all that effort is about learning
- So it is appropriate, no imperative, that we ask what do our students need to learn and how should they learn it so that we are preparing them for a messy, complicated, interrelated world.
- I want to thank the 32 women and men who have spent hours and hours of their time asking those questions as part of the Academic Journey committee and helped UT reframe the undergraduate experience.
- Thanks to Penny Poplin Gosetti for her leadership,
- Those who continue meeting weekly:
 - Jamie Barlowe

- Tom Barden
- Steve LeBlanc (last year's chair of Core Curriculum Committee)
- Brian Randolph
- Mary Powers (last year's chair of Academic Programs Committee)
- Steve Peseckis (last year's chair of Undergraduate Curriculum Committee)
- John Barrett

H1N1 (Already discussed by Dr. Gold)

- We must suspend the missed class policy to keep this serious illness from spreading
- If students get sick, they should stay home or in their residence hall rooms away from others until it's been 24 hours since they've had a fever.
- However, students should not forget to contact their professors and inform them that they are sick and will be absent. That communication remains the student's responsibility and it should take place at the front end of an illness, not after the fact.
- Staying away from others includes the Student Health Center and the doctor's office. Therefore, doctor's notes will not be required for an excused absence in the case of H1N1 illnesses.
- To minimize the impact of this flu, everyone on campus must follow certain guidelines and work with one another," That means, in part, that students do not take advantage of a relaxed attendance policy and faculty work with students to make up missed assignments or exams.
- For up to date information about H1N1 flu, go to <http://www.utoledo.edu/fluprep/>

Getting to Professor

- Postponed until Feb because of scheduling difficulty

Provost Gold will speak to you more on the subject of the H1N1. One of the things that Provost Gold will tell us is that the illness has not spread as much as we anticipated, thanks to the work of many people getting the word out that helped us to do that, and we need to continue to do that.

Provost Gold: John, thank you for bringing us up to speed on the influenza situation on our campus and our community. We are at a stage now where we are no longer testing for influenza. In the State of Ohio, we are assuming that the 99% of influenza are type A, H1N1 influenza. The majority of students with ILI we are seeing in the university community are students living in residence halls. The volume we are seeing for influenza like illnesses (ILI) have flu-like symptoms. We are seeing at a much higher rate than traditionally we would see for seasonal flu. We are seeing at students at or near capacity at the Student Medical Center on the Main Campus. In response to that we have volunteer physicians, nurses and other health care professionals put in extended hours during this week to receive more students and get their medical issues resolved. We plan to continue that as long as we need to do it. About 30-50 students today that need to wait 24 more hours to be seen which is unfortunate and probably unnecessary in the very near future. Unnecessary for the following reasons: One, there is still capacity on the HSC at the student employee health center seeing students, and secondly, students that we would otherwise

not be seen, however, they are there to get their “excused from their classes” note from their health care provider. They are exposing other people while travelling on campus buses or waiting in line at the Medical Center. This causes other students who have more severe and non-flu problems from receiving medical care. We are therefore, once more, requiring that students’ absences not be not dependant on MCMC or other health provider documentation at this time. This is an absolute CDC requirement, and our requirement on this campus.

The only thing Prof. Barrette read to you that is no longer true from that letter that the virulence of that virus is probably greater in student-age population than traditional seasonal flu. That means that young men and women who are otherwise healthy are getting hospitalized and indeed unfortunately being hospitalized and rarely dying. So being able to see these young men and women when they jam in Emergency Room, the Main Campus Medical Center when they are genuinely sick at the Student Med Center is absolutely critical. Students are being encouraged to call, and as of Thursday afternoon we will have 24/7 hotline, 419-383-H1N1, or to check the website. Students are encouraged to call if they are not sure whether they need to be seen.

Students are required to call their faculty members if they are not able to attend classes and to work out an appropriate academic program to meet their needs. We are tracking on daily basis the number of students being seen, the number of students in residence halls, the number of calls, etc. We also track the number of employees and faculty calls and it’s a dramatic increase in numbers that we have seen in the student body and in the emergency room, but not in the faculty and the support staff. We don’t quite know why, because at other universities across the country there have been exponential increases. We had probably twice as many today then we had at the same time last week, and we are seeing twice as many people in the ED. The website, www.utoledo.edu/fluprep we update every single day. We update the information about vaccinations, or if we change contact information, CDC and local Health Dept, extremely helpful in trying to get this information out.

There are people across the country who are dying from this illness, and we have to do everything possible to prevent this. We are far better off than what’s going on in our football rivals in Miami, or across the border in Ann Arbor or other large universities. We have very limited amount of the H1N1 vaccine and a very limited amount of the seasonal flu vaccine on both campuses. We are immunizing completely consistently with the CDC guidelines. The seasonal flu vaccine and all the remaining H1N1 flu mist vaccine that we have is going to be used on Friday at the Student Union Building on this campus for students who meet the age criteria. We tried very hard to immunize the health care providers with both the seasonal flu vaccine and the H1N1, however, we have over 3,000 people we have immunized less than 700 and have completely exhausted our supply at this time. We hope that we will see more, our of about 40,000 that we requested, we probably received about 1,000 doses, half flu mist and half injected vaccine, which is nowhere near what we requested. We will continue to update you through the website and rely on your ability to transmit this message to the classrooms and residence halls to get the students and the faculty fully engaged.

Senator Heberle: I don’t think we should rely on students going themselves to the website, some more active communication with them is necessary.

Provost Gold: We have sent numerous university-wide emails, we have a link on the university homepage with the flu/prep site, we have talked about it at most presidential perspective videos and town hall meetings, and almost every time that Dr. Haggett and I speak to the Senate to students. Are saying we need to do more? If you have some suggestions on how to improve communication please share them with us at any time.

Senator Jorgensen: First of all, congratulations on getting all the hand sanitizers in our building - it was a quick job on getting them out. On the website, I noticed you do have the link to the H1N1, the information went out today, the shots in the Student Union, but I heard through

Facebook that the Friday session is at the Rec Center, as John mentioned. You said that on Friday it is here in the Student Union. It's very hard to find that information on the website.

Provost Gold: This type of information changes on daily basis depending on the availability of the vaccine and the demand, so we are trying to allocate very limited resource in a responsible way. The website should contain the most up to date information.

Senator Jorgensen: It doesn't have anything about Friday. What about the famous group over 49? Will we ever be included in the H1N1 vaccine and are we included in the seasonal flu vaccine? Or does the age limitation go there too?

Provost Gold: There are age limitations in both and it all will be determined how much vaccine we will get. We will continue to follow the CDC guidelines. The priority is pregnant women, child care givers, young children, those students under the age of 24, and direct health care providers.

Senator Fink: One of the things that I get asked in class is that students have heard through the Internet that there are some risks with the shots. That there might be mercury and some other thing in it that might cause harm. That's something that you need to put out because they are holding out getting shots because they are worried about side affects. My students think that by taking multiple shots, they are increasing the risk.

Unidentified speaker: We don't think there is any risk with vaccinations, no evidence to date.

Senator Peseckis: Yesterday, the Health Department of Lucas County vaccinated 300 people with H1N1, they received 800 vaccines and they actually vaccinated people up to age 64. The county officials are starting to go to all the schools and it's on the website where the vaccination will be around town. Each day there is new information and the Health Department may open up to other people. Keep checking the Lucas County website.

Senator Heberle: I would like to see a simple message to the University community, very simple and to the point message. Students stay home if you are sick with flu-like symptoms. Contact your professors to let them know you are ill and will not have documentation.

Provost Gold: We will do it again and again to get the message out. There are still people out there who don't know about the important H1N1 facts in spite of all our attempts.

President Barrett: Because of the late we are running, and out of respect for Dr. Jacobs' time, I'm going to delay items from the floor until the end of the meeting. Since we spent so much time on H1N1 and the seriousness of this, I do want to bring the second resolution to the floor in the hope that we won't take too much time to pass it. The Executive Committee has brought to you the following resolution that, "*The University of Toledo's mandatory attendance policy be suspended for the current academic year.*" It does not need a motion or a second, it's from the Executive Committee. Is there any discussion on this?

Senator Regimbal: I want to speak against the motion, I think the faculty are quite well equipped to say, you don't need to come to class if you have a fever. I already had students saying they are aware that there is something out there about not having to attend classes if they are sick, and so they were sick yesterday. I am not opposed to relaxing the attendance policy we already voted on that once and that should be sufficient.

President Barrett: We voted to encourage faculty to relax the policy.

Senator Regimbal: I stand corrected.

Senator Barnes: I am wondering if, when we say "academic year," we are not opening ourselves up to some retroactive absence relief. Some of my students have already missed more than the maximum allowed for the semester, prior to the flu outbreak. Those that didn't have the flu, would they be included in this resolution?

President Barrett: That's not the intent. I will be happy to change it to, "*Resolved, that the University of Toledo's mandatory attendance policy be suspended from this day forward through the current academic year,*" if that would resolve the issue for you. There is obviously a potential for abuse here, but the seriousness of this disease means we need to address this, and once the flu passes we can always rescind this resolution at that point.

Senator Jorgensen: Maybe the statement needs to be stronger. But relaxing the attendance policy would mean that any policies we've had in terms of attendance requirement- that would be totally out the window. We can't require attendance for any reason or any purpose if we say there is no longer a mandatory attendance policy. That seems to be an overkill.

Senator Dupuy: Is there really a problem with faculty not accepting this?

President Barrett: We are hearing, yes there is. That's why this is up to us. Penny Poplin-Gosetti would you like to comment on this?

V. Provost Penny Poplin-Gosetti: I am getting emails regularly with concerns that students have been requested by their faculty to submit doctors' notes.

Senator Heberle: Does that mean that the faculty doesn't know the students are supposed to stay home.

V. Provost Poplin-Gosetti: Yes, and we have sent emails out and we've sent letters out.

Senator Jorgensen: What about if we amended, 'for students with flu.' Because if you just blanket that out and you can never require students to attend class as part of their course. I am fine doing it for students with flu and flu-like symptoms, they don't need a doctors' note, but if you knock it out the mandatory policy you are removing that as a requirement for everyone for every single imaginable reason.

President Barrett: I'm assuming you are not proposing any proof of the flu.

Senator Jorgensen: No.

President Barrett: We can modify it again, "*Resolved, that the University of Toledo's mandatory attendance policy be suspended from this day forward through the current academic year for students with flu-like symptoms.*"

Senator Jorgensen: Right.

Senator John McSweeney: Why don't you add to that, 'Without proof of requiring a note.....?'

President Barrett: We will add, 'Without the need of any documentation.'

Senator Fink: I am for this, but I would like the students to have to contact us, because right now I have a couple of students who have gone off the radar and I just know at the end of the semester they are going to come up and say to me that they were sick all semester. Now I'm supposed to re-do all the tests and the course for them. I am already posting all my lectures.

President Barrett: I can work that in too, "*Resolved, that the University of Toledo's mandatory attendance policy be suspended from this day forward through the current academic year for students with influenza-like symptoms without the need for documentation, provided that the faculty may require that they be notified of the students' intent to miss class due to illness.*"

Senator Nandkeolyar: I think this whole thing is completely unnecessary, because we can ask the AAUP, for example, to spread the word and Faculty Senate can do the same.

President Barrett: This obviously is not going to be unanimous. We accommodated a number of concerns, and now I would like to bring it to a close because we have two guests.

Senator Barnes: We do need it to say next semester, because the outbreak will last into the spring semester.

Senator Fink: I am not asking for additional changes, but I am asking for some advice. This is getting to be a total get out of jail free card for tests, where you will have to have ten different versions and you can never give a test back because anytime anybody doesn't want to take a test, they are sick.

President Barrett: That is a problem. If you can't deal with it you have to consider voting against the motion. All in favor? 'Aye.' Opposed? 'Nay'. We need a count.

Motion passes 30-14.

Our first guest is President Jacobs and I remind everybody to treat all our guests with respect.

President Lloyd Jacobs: Thanks very much. I am going to discuss what seems to me to be a complex issue and I brought some handouts. It will probably require subsequent discussion. John asked me specifically to talk about the suggestion from you that we talk about assessments

of deans, vice presidents, administrators, provosts, president, and so forth. And I'm pleased to do that.

First of all, the idea of assessment is supported at least by two principles. First, you can't manage what you can't measure. Knowledge that is not based on measurement is knowledge of paltry value. And clearly as a measurement of success, measurement of performance is an important principle, and I subscribe to it.

Secondly, a performance appraisal properly done can be a tremendous assistance, and aid to personal growth. All of us have grown in the past from such assessments. I know I have. So there is a significant value for two reasons. Measurement will help manage things and personal growth is of course affecting all of us. So I support the idea of assessment. At this juncture in our history we are looking for informative assessment, as opposed to some other type of assessment. I believe that feedback and personal growth is probably the most important goal at this particular juncture.

I think there are three possible ways to address this. I will offer those three. There is a handout for one of them, and I will be happy to discuss it with you, or the Executive Committee if you wish. You can decide on one of those three or maybe you have a fourth possibility. There are three possibilities that I would find acceptable and reasonable.

The first one is to do what was done last year. Same process, same cohort, same methodology. My recollection is the assessment rendered at that time was done of deans only. I propose that it not be expanded. That is one of three possible approaches, and it seems to me to do exact same thing that was done last year, in conjunction with the two provosts, same cohort assesses, same methodology.

The second possibility requires a little more clarification. Clearly the Board of Trustees' responsibility is to assess me. In fact, I wanted to let you know they have been at it for several months, and we will probably have another session on the presidential assessment at the November meeting. I don't believe we will finish that and I think we will probably go on for another meeting or two. Clearly it is their responsibility. They take that responsibility seriously, and you may feel free to get them data of whatever sort. And they can use it in whatever seems appropriate.

It was delegated to me to manage the institution. That management would include assessments of vice presidents, deans, provosts and so forth. Once again, you may feel free to provide me with those processes. The second approach would be for us to part ways. If we do that, I hope we part ways in peace and due respect. For us to part in peace and mutual respect, there essentially are two separate processes. That of course has its downside.

The third approach is the one I recommend, and I would like you to see this handout. This document is too complex to deal with here today but I would like to make a few comments. This is a proposal from Barbara Braham, whom I don't know, never met, have no bias in the matter. I will just read briefly sentence one of the Scope of Work. *"The President of the University, in collaboration with the Faculty Senate Executive Committee, would like to offer a group of approximately 25 senior leaders (including Deans, and various Vice President and Senior Vice President level administrators) the opportunity to receive 360 feedback on their leadership competencies."*

I would believe that we can undertake this approach and this 360 feedback. People like deans and vice presidents, have participated in this sort of thing in the past, and it has been extremely helpful to me. I would ask John or the Executive Committee to select the details. So instead of struggling through this long document discussing the cost, which is not a factor, and

methodology and so forth, I would propose leaving it with you and suggesting we choose one of those three options.

I will take a few questions, but we can't sift through all of this at one sitting.

Senator Dowd: What university was this prepared for? It could not possibly be for our university, because it states, "In collaboration with the Faculty Senate Executive Committee." This Executive Committee has not been consulted on this issue nor have we seen this document before now.

President Jacobs: I am bringing you a proposal, you are quite right,. This has not been done for the University of Toledo. This person does not know the University of Toledo. She does not know you. She has spoken to me and I expressed to her my thought and desire and proposal to work in collaboration with Faculty Senate Executive Committee on 360 feedback. That is where this verbiage comes from.

Senator Jorgensen: As I read the list of twenty or so senior leaders, you are not included in that, is that right?

President Jacobs: If you want to go this route, I would include myself.

Senator Thompson-Casado: This is an out of the house evaluation then?

President Jacobs: Yes, it's a methodology standardized by this group and when you read this proposal, it's a vendor and us whom we would pay.

Senator Thompson-Casado: What is the cost of this?

President Jacobs: I thought I should leave you this document and you can read it at your leisure. The fee is modest it is around \$35,000.

Senator Heberle: I just wanted to bring your attention to the last .page that lists the previous places this firm has done this kind of assessment—they are all businesses. We are not a business, we are a University.

Senator Rouillard: On page three it says, "*The leader completes an online self-assessment and identifies respondents in the categories of boss, peer, direct reports and other.*"

President Jacobs: What is written here is a proposal, so I would propose I leave this with you. Obviously there is a lot to be digested. I would suggest you decide together and let me know what you would like to do. Please consider any of the three options, any of the three would be acceptable with me.

Senator Barnes: A question about the Board: You said they have already been doing an assessment of you for several months. Is this the assessment that preceded the contract renewal the extension that you already got?

President Jacobs: I think the answer is no. I think they did an assessment before the contract renewal.

Senator Barnes: So there was an assessment prior to the contract renewal?

President Jacobs: Yes.

Senator Hoblet: First of all, I don't think they are very expensive and it certainly sounds like they have a lot of experience in higher education with academics, with an educator of the year award at Notre Dame, it sounds like they do have some relationship with higher ed.

President Jacobs: Let me interrupt if I may. I am not suggesting that we just go with this firm, I know that there are other firms that do this.

Senator Hoblet: As a possibility for assessment one of the options that I suggested at the last Senate meeting and in lieu of spending this amount of money that maybe we could work collaboratively with another public university in our state where they may consider coming in to assess our university leadership, and we may consider assessing theirs. I didn't have any price tag in mind and having half a business mind and half nursing mind, I looked at these numbers and how much it would cost in faculty time and our expertise to develop this work. This sounds reasonable but still I wanted to throw another idea to consider.

Senator Dupuy: My comment is that the first step for the process you are recommending if we go with this vendor is on November 3, which is next week. Since we are just looking at this

today and you are suggesting to come back, is there anything sacred about November 3rd or can it be pushed back?

President Jacobs: Nothing sacred about this contract, we can move it anywhere we want.

President Barrett: I would like to suggest that Dr. Jacobs supply us with an electronic version of this so we can disseminate it across the University, and that we talk to our constituencies, and at the next Faculty Senate meeting we devote some time whether or not this particular model or this company and to which issues need to be negotiated, or whether to pursue one of the other two options, or one that Karen Hoblet suggested.

Senator Dowd: I ask that this document be withdrawn because it states collaboration with the Faculty Senate Executive Committee. The Senate's EC has not seen this document before now. We have no idea what it contains or proposes. It is disingenuous to simply handout a document without first checking with the group you are supposed to be collaborating with.

President Barrett: I read this as a proposal by Barbara Braham and that she wrote it that way. I don't take any umbrage in this. When we send it out, we will state that this is a proposal by Dr. Jacobs and in no way it has been endorsed by Faculty Senate or the Executive Committee.

Senator Heberle: Then it has to be in collaboration with the Executive Committee and is not representative of what they are offering so it has to be re-written at best. Also, the qualifications of these two people are inadequate for this kind of task.

President Jacobs: If I may interject, this is a proposal by a vendor to sell us services. If you wish to disseminate it you should clearly mark it as that. We may ask for modification. Having said that, I am trying to clarify what this is. The first sentence is a true statement, it states that the President of this University would like to collaborate with approximately 25 people and Faculty Senate Executive Committee. That is a true statement. Whether you wish to accept it or not accept it is another thing. You can offer some alternatives.

Senator Thompson-Casado: What needs to be disseminated is other model options, not one specific offer.

President Barrett: Whether this model is acceptable is a different issue. However, it probably needs to be included as an example of the model, but I agree with you, we need to include descriptions of the other models as well.

Senator Heberle: I would like to make a motion; I would like to move that the Faculty Senate not work with this as a starting point for our discussions of process that we will collaborate with the President on the terms of assessment. I would like to move that we not use this as a point of departure for our discussion. If I can make motion and make it a part of a larger set of alternatives, or ask Dr. Jacobs to go back to the drawing board and find a better proposal for us to start with as a point of departure.

President Barrett: That is not a workable motion. A motion has to be for a course of action and not different actions in the alternative. So pick one that we can vote on and discuss it.

Senator McSweeney: I don't have my Robert's Rules of Order with me, but I don't think you can make a motion from the floor during a report by a guest.

President Barrett: I got the sense that the report was coming more or less to a conclusion, so I wanted us to discuss this and figure out what, if anything, we want to do about it. Did you want to put forth a motion for one of those two alternatives?

Senator Heberle: I think it would be appropriate for the Senate to discuss this without Dr. Jacobs.

Senator Jenkins: Option number two, that call for methodologies, so if we chose that option, would you decide to use this or go in another direction?

President Jacobs: Great question. But I am not certain, but probably yes. I would do one of the things and check due diligent, check on those people's credentials and see if I can beat them down on the price a little bit. But I would like to move in this direction.

Senator Barden: What are our obligations based on our constitution?

President Barrett: The Faculty Senate to facilitate bi-annual assessment of administrators and deans, but it does not include the president. What 'facilitate' means we can debate.

Unidentified speaker: I would like to ask for clarification for the number one option, would it be the same set of assesses, or different for deans as last time?

President Jacobs: I don't know that I understand your question.

Unidentified speaker: I think there was a subset of deans that were evaluated during the last assessment by the same set of assesses.

President Jacobs: I thought it was all the deans, but I will talk to the provost about that.

President Barrett: Thank you Dr. Jacobs.

Senator Jorgensen: About the last report, we just heard that the Board is deep in the process of assessing the president. Has the Faculty Senate Executive Committee been approached by the members of the Board of Trustees who are doing that assessment or has any faculty group made any connection with any input whatsoever into the assessment? It's absolutely imperative.

President Barrett: This is the first I have heard of an ongoing assessment of the president.

Senator Jorgensen: That goes in the same vein as last year over the renewal of the president's contract without any input from the body that represents the over 1,000 faculty members on this campus and I can't imagine that this is appropriate action by the Board of Trustees.

President Barrett: I will contact the chair of the Board, Olivia Summons and ask her if we can either have any input in that or at least some feedback out of it.

Senator Thompson-Casado: Feedback is absolutely necessary, we are assessed every semester and given feedback by the students.

President Barrett: I certainly believe that and I assume we all believe that. But given that I cannot direct the Board on what they do, I can only suggest and see how they respond.

Senator Heberle: Would you clarify with them whether and how they are assessing Dr. Jacobs.

President Barrett: I will do so. Anything else on this matter?

Senator Barnes: Can you also request a copy of the report of his assessment if it's available?

President Barrett: I already included this on my list.

Senator Heberle: I don't want this to go out from the Faculty Senate, where are we on the commitment with this vendor?

President Barrett: As I understand it, we are currently not doing anything on assessments. We have three options given to us by Dr. Jacobs. We have the ability to respond to those however we wish, but if we do not act as a body to choose a course of action or set up some subset group to do it, this will languish two weeks and then we can come back in two weeks and discuss it then. So right now, we are in limbo. I would be willing to entertain any proposal on how you want to proceed in two weeks. I have no intention of disseminating this without instruction from you.

Senator Barden: When you speak to the chair of the Board of Trustees, try to emphasize how important that would be to give feedback from the faculty.

President Barrett: I will do my best, but given my persuasive powers to you all, I have my doubts whether what I say will count.

Senator Laux: My issue here is the language coming from you, we should not ask the BOT if they are interested in our opinion. We should be proactive and say, "This is our opinion, now be responsible Board members and consider all stake holders' points of view."

President Barrett: The Board is apparently doing the assessment themselves. I might ask them, a) can we participate in it, b) can we get the information out of it once it is done, and c) can we have the results of the last assessment. I think that's what has come out of it, what we have been talking about. If they say no to the last two, you can't see reports whether old or new, there is nothing I can do about that. On the first issue, if they say, 'we don't want your input on our process,' then they won't have our input on that process. That doesn't mean we can't have our own process. I think there is a broader issue on all the administrators and what we want to do. Do we want to do our own process, do we want to hire somebody? We've got to decide how we want to go.

Senator Laux: I think it's pretty obvious, they didn't ask us, so their answer is obvious.

President Barrett: But any of the three proposals would be a way to give input to the Board. So we have to decide how we want to go forth, whether we decide that today or later.

Senator Sheldon: Perhaps we should go ahead on all three, simultaneously.

President Barrett: Dr. Jacobs indicated he would probably go with this one anyways. Personally, I have enough to do. Some other people will have to step up.

Senator Jorgensen: I suggest a change in wording when speaking to the chair of the Board. It is that we feel there should be input from the faculty in their evaluation and we are making plans to provide that input and we ask that they delay the end of their assessment until that is provided. When we do provide it, we submit it to the Board of Trustees, it's a part of their official record. It is a public record and it's more broadly distributed, then the Faculty minutes are. In fact, this would be putting them on notice that this is information that we are providing, and if you make a decision without reviewing that information, you are not fulfilling your obligation as an administrator of the University.

President Barrett: I will try to remember all the elements.

Senator Jorgensen: It's on the tape.

Senator Kennedy: I am a little concerned that while we are thinking about how we want to proceed, this document will be floating around. Based on the 'four corners' of this document, this looks like our final decision. This looks like the way we are going forward. So I would like to sequester all copies of this document so that we don't create any confusion while we think about what we plan to do.

President Barrett: Is that the general view? Let's collect them all.

Senator Jorgensen: Aren't they officially a public record since they were submitted to us and will be a part of our minutes? I don't think we can sequester them, they are a part of our minutes and part of our record.

President Barrett: It's something that is generally floating around.

Senator Heberle: I would like to move that we part ways with the President on the assessment of the top administrators and that we go ahead and do it ourselves. If the Board is not going to accept our proposal we will offer our evaluations to the community, The Collegian, The Blade. That's not really a motion. I move that we part ways with the President's proposal.

President Barrett: And do our own assessment.

Senator Heberle: Yes.

Motion was seconded.

President Barrett: Do we need to open discussion if we wish to go down that road? The instrument that was created two year ago was created to evaluate deans, it is not going to fit squarely with evaluating administrators and other groups. Plus when it comes to evaluating administrators, most faculty are not in a position to evaluate them in a meaningful sense, and we have no meaningful way to compel staff or others to respond. You should be aware of those difficulties. You should also be aware that we have to take the lead on modifying the instrument and coming up with an instrument that is appropriate to assess whoever we chose to evaluate. So far volunteerism for the Board committees has been sparse. If this is the way you want to go, people better be prepared to step up, or it's going to fall on it's face. I don't want to discourage anybody, but if you hire somebody and that is the way you want to go, there is much less we have to deal with.

Senator McSweeney: I am speaking against the motion. With all due respect; we should eliminate the other two options only after we have had a chance to adequately evaluate all of three of the options and determine which of them is best.

President Barrett: We were offered three options. I don't know if the president had it before Friday of last week, but we have been in discussions about these options. I didn't know he was going to hand something out.

Unidentified speaker: As a representative group of Faculty Senate it would seem reasonable that the Faculty Senate Executive Committee discuss the options with the President and try to figure out what's going on here.

President Barrett: I have had numerous discussions with President Jacobs about the assessments process; that's how the three options got laid out. I have been trying to encourage him to do an internal process for cost saving reasons and he is choosing this as his preferred option.

Senator Dowd: While President Barrett may have had many discussions with President Jacobs about assessment, the Executive Committee has never met with President Jacobs to discuss this issue. That said, at the last EC meeting President Barrett briefly described the three options though no details were provided to the Executive Committee. Perhaps President Barrett was not informed of such details at that time.

Senator Barden: In this document one of the steps is when all the steps have been completed then Barbara Braham will have a closed meeting with the president summarizing significant observation and propose any potential next steps. It is left to the discretion of the president to include or not, members of the Faculty Senate Executive Committee in this briefing. It needs some careful scrutiny.

President Barrett: That's assuming we want to go down this road. We are all in agreement that there will be a lot of pushback. The issue is do you want to explore the outside vendor option? I don't know that we as a group were inherently opposed to any of these three options. There are advantages and disadvantages to all three approaches. I think there are strong feelings in some of you. We can come forth with a proposal, but that's not the motion that has been made and seconded. The motion made and seconded is that we conduct our own assessment and then disseminate it through whatever means you determine to have a maximum summative impact.

Senator Dupuy: If you have a conversation with the President, it would be helpful to me if the Executive Committee report that those conversations be recorded to know those conversations are moving along.

President Barrett: I will try to be better about that. We as a group meet with various administrators, provosts, and deans regularly. I see the Provosts probably 3 or 4 times a week, I see the President at least twice a week, we talk about a lot of different things and I have to decide how much I'm going to tell you about each conversation or in my report to the Senate. If something important has developed, I try to say it. I tried to summarize my discussions with Dr Jacobs concerning the assessment proposal, and I apologize if you want me to give you more information, but there is a tremendous information flow that goes through me and I just can't report it all in the time we have.

Senator Jenkins: I would like a little more diversity in the assessment. This outside assessment is going to cost us \$36,875 and the administration is going to do this without our involvement?

President Barrett: I don't have that sense. I think they will probably go with the external assessment regardless of whether we are involved or we are going with our own approach. I do think Dr. Jacobs is sincere in saying if we want to go this route he is willing to discuss the details. There is going to be push back, but I don't think we are in any way committed to this group or this proposal. Or that he is committed.

Senator Heberle: He did say he will use it.

President Barrett: If it were just him, if we don't join in. But if we join in, he also said he would want to look into the first proposal in detail first.

Senator Dupuy: I am curious where the money will come from. If we did this on our own, will it be our budget?

President Barrett: I think our budget has a couple thousand dollars, but it's already spent between Kathy's overtime attending Senate and sending an OBOR representative to meetings in Columbus.

Senator Dupuy: Copying paper or have someone analyzing the data I am curious where the funds will come from.

President Barrett: That's what the committee will have to decide. We don't have any money for it, so it will have to be our own sweat equity.

Senator Rouillard: I think President Jacobs is being disingenuous with this. He started talking about a possibility of outside evaluation in September, and yet he just told us that the Board has been doing an assessment on him for months now. Did he not know about his own assessment? Why is bringing this to us now? Is it he is telling us this after the fact?

President Barrett: Since I haven't heard this before today, I can't comment on it.

Senator Thompson-Casado: I have been here sixteen years and I have a lot of senior colleagues in this room, but for years and years we did this process ourselves, with the Faculty Senate and I never heard any major complaints about us doing this process. What is the problem with us continuing with this process and amplifying to those administrators that we need to do this?

President Barrett: I was not suggesting there was a problem, I was suggesting that I did not want to do it personally, I have enough to do. Some other people will have to step up.

Senator Hoblet: I just wanted to say, I agree with Senator Sheldon and I want the President to know, I don't want to shut that door. I would like to have more control over it. And I loved what you said that if he is going to use it and spend the money on it, I would rather be a part of it than not at all.

Senator Sheldon: To all those senators who oppose #3, I just want to say that's my impulse as well, but I think this would be an interesting opportunity to have all three evaluations held up against each other. That might reveal some interesting results or discrepancies.

Senator Hoblet: I think we can use this proposal. It's much easier to edit a proposal, even bad proposal, than to create a new one. So, maybe we should look at it and see what we like in it. I was very pleased to see that he came to us and was willing to collaborate with us. So, that's a starting point.

President Barrett: I want to interject here, we have 12-13 minutes left before the end of our session, we had a report scheduled from Jim Trempe. Jim, how long is the comment period for this policy?

Prof. James Trempe: Thirty days, and it started middle of last week.

President Barrett: So it ends around the 19th?

Prof. Trempe: Yes. I can come back in two weeks.

President Barrett: I appreciate that. So, we have a choice, we either have Jim come up and give us a brief overview of the misconduct policy, giving you approximately three and a half weeks to comments on it, or we can bring him back at the next meeting. That means the faculty as a whole won't see the minutes of what everybody says, because minutes don't get out that fast. We will do whatever you decide. Do we continue the discussion on assessment? All in favor of conducting our own faculty senate survey, presumably appointing a committee to run this, please say, 'aye.'

Senator Heberle: No, this is not in collaboration what he did. If he was collaborating, he would have met with the Faculty Senate Executive Committee to discuss this. You all heard. This is not collaboration. This is pushing us against the wall. This is what he did. It may not have been intended that way. If it was collaboration it would have started from the beginning. He is not collaborating with us on this.

President Barrett: I would respectfully disagree with that.

Senator Heberle: If he did not meet with the faculty senate executive committee, he did not collaborate. Talking to you is not collaboration.

Senator Jorgensen: The question has been called, there is no more discussion on it. The necessary vote to approve calling the question is two-thirds.

President Barrett: All in favor of calling the question, please say 'aye'. Opposed? 'Nay.' We will have to count hands.

Senator Fink: In favor of what, can you please repeat the motion?

Senator Jorgensen: Of calling the question.

Senator Fink: What is the question?

President Barrett: It's a motion that we part ways and conduct our own survey. All in favor of calling the question. The vote is 17 in favor, 12 opposed. All in favor of parting ways and conducting our own assessment. The vote is 16 in favor, 17 against. The resolution fails by one vote.

Senator Jorgensen: I would like to make an observation from many years being here and being a chair, you have my sympathy, John, for working hard and diligently. Before the Senate started this year I sent to John, as requested, an item to discuss this year. My request was to do the evaluation of administrators like we have done in the past. Do you realize that we spent about 20% of our entire time this year, almost all of it today, discussing what we are going to do, what we have done for many years. This topic has been hijacked from us, and to try to keep us from fulfilling the responsibility that we have had. I am happy to serve on a committee to work on developing whatever we develop. In the past what we have done is called in retired faculty members. In fact, I spoke to one of them, who ran this for us in the past. There are ways to do this.

President Barrett: I wasn't suggesting there aren't ways to do this.

Senator Jorgensen: I understand.

President Barrett: The only way this can happen is if we make a decision and move forward. Today we didn't make a decision to go forward.

Senator Giovannuci: I would like to make a motion to articulate what these three options are, because I don't know what they are.

Senator Hoblet: Second it.

President Barrett: There is a second for that motion. Any discussion on this motion?

Senator Heberle: Can you repeat the motion?

Senator Giovannuci: To articulate what those options are.

President Barrett: We only have five minutes left. Jim I apologize and am terribly sorry. We want you to come back to the next meeting, and I don't know how we are going to fit everybody in with only two meetings left. But that's another issue.

Unidentified speaker: I would like to say, it's a little uncomfortable today to feel like we accomplished nothing and the responses from other people are unjustifiable when we don't have the information and it seems irresponsible to make an important decision when we don't have all the information.

President Barrett: Other comments on the motion?

Senator Niamat: Will President Jacobs send us the electronic copy of the assessment document which was distributed earlier to the Senators by him and then sequestered by the Senate after he left? Frankly, I cannot vote Yes or No on this issue without reading the document carefully.

President Barrett: I don't think so because at this point we will try to sequester this document. I think the Executive Committee will get together. I will send an email to Dr. Jacobs and ask if he wants to send me a description of the three options. In any event, we will try to formulate a description that we will send to you and to all faculty so you can discuss how we want to proceed.

Senator Piazza: As a member of the Executive Committee I would personally welcome suggestions as to what direction to pursue. My personal feeling is that what we need to do is start over. We need to meet with President Jacobs and discuss it, and if even it is possible to participate in a 360 process. If so, fine. If not, we should recommend a separate process. I think this should be a very important decision and it should be an informative evaluation or I don't agree that three years is not enough time to conduct a summative evaluation. All this needs to be discussed. I would welcome some direction from Faculty Senate to meet with Dr. Jacobs if those particulars need to be worked out so we can participate. If we can't work out the particulars then we say we will do it our own way.

Senator Fink: I want to voice my support of what has just been said, it makes sense to me. I am not being critical of any of my colleagues, but I am just having a hard time following the reasoning. I am not saying they don't have good reasoning. Maybe we need to have comments sent in. Right now, if we could find a vendor that we liked, I doubt it will be this one.

Apparently this person doesn't have much of a background. In 2006 still didn't her Ph.D. If we can find a provider that we agree to, and if we can have some input into the questions and we get access to the data, apparently a lot of people are against this and I am having a hard time understanding why it is not a good idea. I do believe it's fine to have the Executive Committee be charged with working that stuff out, again, I have a hard time understanding in principle why everybody feels we have to do it separate.

President Barrett: We are literally out of time but there are a couple of things we need to bring to closure and we have a motion before us that Faculty Senate Executive Committee should describe the three proposals so they can be understood by senators and presumably by faculty as a whole. So if your comment is not addressed to that I ask you to hold it so that I can call the question and have a vote.

Senator Anderson: I would like to add to that a request to summarize the evaluations be done and forwarded to all of us, and then it needs to be discussed. That means you have to bring forth a motion. You need to separate those things.

Senator Heberle: A clarification of the proposal the President made, we need to separate the proposals, the third option would simply be that we work with the President.

President Barrett: I would defer the person who made the motion. Any other comments?

Senator Barnes: Karen's idea of the collaborative possibilities would that be added to options?

President Barrett: Would you like to have this added as well?

Senator Barnes: Yes.

President Barrett: So you made the friendly amendment, you are accepting it? All in favor of the motion, please say 'aye,' Opposed? *Motion passes.*

We won't get to the other Action Item, are there any Calendar Questions?

I was asked to announce that the Faculty Club will have a Holiday Jazz Concert at the Hilton Hotel from 5:30 to 7:30 pm on November 13th.

Any old business?

Any new business?

Senator Barnes: The Women's Leadership Forum is meeting this Friday at Libbey Hall at Noon. All women are invited.

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

VII. Adjournment: Meeting adjourned at 6:04 pm.

Respectfully submitted,

Nick Piazza
Faculty Senate Executive Secretary

Tape summary: Kathy Grabel
Faculty Senate Office Administrative
Secretary