

THE UNIVERSITY OF TOLEDO
Minutes of the Faculty Senate Meeting of March 27, 2018
FACULTY SENATE

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

Approved @ FS on 4/24/2018

Summary of Discussion

Dr. Melissa Gregory, Presidential Fellow: Tenure and Promotion Guidelines
Mary Humphrys, Past-President of the Faculty Senate: TOEFL Resolution

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 Thompson: President Thompson called the meeting to order; Faculty Senate Executive Secretary, Fred Williams called the roll.

I. Roll Call: 2017-2018 Senators:

Present: Ariss, Atwood, Bjorkman, Bouillon, Brakel, Bruce, Chattopadhyay, Compora, Dinnebeil, Edgington, Emonds, Ferris, Frank, Gilchrist, Giovannucci, Gray, Gruden, Hall, Hammersley, Hefzy, Hottell (substitute for S. Barnes), Hoy, Humphrys, Keith, Kippenhan, Kistner, Kovach, Krantz, Lee, Lundquist, Maloney, Menezes, Modyanov, Monsos, Nigem, Oberlander, Ohlinger, Randolph, Relue, Rouillard, Schneider, Sheldon, Steven, A. Thompson, Van Hoy, Weck-Schwarz, Wedding (substitute for A. Said), Weldy, White Williams, Wittmer, Woolford, Xie

Excused absences: Jaume, Leady, McLoughlin, Niamat, Ortiz

Unexcused absences: Lecka-Czernik, G. Thompson, Willey

II. Approval of the Minutes: Minutes from the University of Toledo Faculty Senate meeting held on February 27, 2018.

President Thompson: I call this meeting to order. I will ask Dr. Fred Williams, our Executive Secretary to come forward and call roll. Everybody hi and welcome. You should have received, through your email, the Minutes from the February 27 meeting and had a chance to look at those. Is there any discussion, additions, or corrections to the Minutes? Hearing none. We would like to *move* that they be approved. All those in favor of the Minutes, please signify by saying “aye.” Any opposed? Any abstentions? ***Motion Passed.*** Thank you very much.

Executive Committee Report: Welcome to the 14th meeting of the academic year. After today’s meeting, we only have two remaining meetings for the semester—but who is counting ☺. We have lots of work to accomplish with very little time. Our final meeting of the semester is on April 24th, where we will be holding executive committee elections.

Before we move into the executive report, I would like to acknowledge the recent loss of Dr. Tony Quinn, a faculty member in the College Natural Sciences and Mathematics. Dr. Quinn was a faculty member at UT since 2001. He co-chaired the University of Toledo Strategic Planning Committee and was a true champion in mentoring his students, particularly those pursuing degrees in STEM. Dr. Quinn will be sadly missed and for those wishing to, contributions are being accepted for the “Dr. Tony Quinn We Are STEMM Fellowship Fund”. The Faculty Senate Executive Committee has asked his close friend Dr. Willie McKether, to give a tribute to Dr. Quinn’s life at our next Faculty Senate meeting on April 10th.

At our previous Faculty Senate Meeting, there were some questions regarding the progress of the Faculty Senate Constitution, Bylaws and Rules documents. Last Friday, the Faculty Senate Executive Committee met with members of the Constitution and Rules Committee to review these documents. We have a follow-up meeting scheduled for this week on Friday to continue our discussion and review of these materials. The creation of these important documents requires significant effort and discussion. The Faculty Senate Executive Committee would like to thank all of the members of the Constitution and Rules Committee for their dedication and work on these new documents. We look forward to having this new framework approved and in place.

Our Faculty Senate nomination ballots have been collected and processed. Representatives from each college have now received ballots to review before being sent out to all eligible faculty to cast their final vote to elect their senators, and if eligible, the University Sabbatical Committee and UCAP. Senators Dan Compora and Sybille Weck-Schwartz, co-chairs of the Elections Committee, will provide an update of the elections process, as well as a timeline for the final ballot being distributed.

Thanks to everyone who filled out the recent Bookstore Evaluation Survey that concluded last week. This is the first time the Faculty Senate has evaluated the bookstore and we will be sharing the results of this survey at the April 10th meeting. Special thanks to Senator Tom Atwood for leading this work.

As previously announced on April 2nd, from 1:00-3:00 p.m., in the Student Union Room 2591, the Faculty Senate, in collaboration with the Office of Government Affairs, will be hosting a workshop on Advocacy and Government Relations Resources. The goal of this workshop is to train faculty on various ways to effectively advocate on policy issues, and how to use their expertise to create awareness or seek out possible funding. I have provided flyers on this event to you.

As a reminder, the Health Science Campus tenure and promotion training will be this Thursday March 29th, from 1:00-3:00 p.m., in Collier 1200. We also have a Main Campus Promotion and Tenure Workshop on April 9th from 9:00-11:00 in HHS 1711. You should have received another email this week with the link to register for the Tenure and Promotion Workshop.

For today’s meeting, we have invited Dr. Melissa Gregory to present the University Tenure and Promotion Guidelines that were previously presented at Faculty Senate. You should have received these documents in your email prior to this meeting. The work presented in these guidelines has been ongoing since last summer and has involved numerous reviews by faculty and committees. While Dr. Gregory will

present these materials at today's meeting, there will not be a possible vote until the April 10th Faculty Senate meeting to provide ample time for a final review.

As many of you know, the Faculty Senate had appointed several people to serve on a TOEFL ad-hoc work group to examine the current requirements and if these were appropriate and clear. The Faculty Senate Executive Committee would like to thank Past President Mary Humphrys for serving on this work group and helping to develop a new resolution that will be introduced at today's meeting.

Last week, President Sharon Gaber sent a university-wide email regarding a banner that was placed in the UT Student Union. The issue of free speech is a topic of discussion on virtually every college campus. The Faculty Senate Executive Committee applauds the Division of Student Affairs and the Office of the President for hosting a town hall meeting to allow students, faculty and staff to come together to discuss their opinions in a safe and respectful environment.

What we heard at the town hall meeting is that some students with conservative views feel shut down. The more opportunities we have to dialogue and hear various people's opinions enhances the understanding of diverse perspectives and enhances the educational purpose that our university serves. As faculty, we can help to cultivate an environment where students' voices, opinions and ideas can be heard; and we can help ensure that everyone's views have a place at the table. This concludes my report. Are there any questions? All right, next on the agenda is Holly Monsos with the Core Curriculum proposals.

Senator Monsos: I sent out an agenda with three items on it, but we are not going to do item number 2. today because it hasn't actually been passed as a new course by the Undergraduate Curriculum Committee. Diane Cappelletty notified me that it was in the system and my committee wanted to look at it so we could present it right after her. I thought she meant today, but she did not, so I will bring it back to you next time after she actually done it. The first item is ART 1040 Fundamentals of Arts Studio Technology. They requested approval of an arts and humanities core course and the Curriculum Committee has recommended that for your approval. Are there any questions or concerns about the course?

President-elect Rouillard: I can understand the learning outcome "a," but I do not quite see how learning outcome "b" is going to be related to---

Senator Monsos: "...a course must fulfill at least one, and should strive for preponderance, of the five criteria core." It does not have to be all five.

President-elect Rouillard: Okay.

Senator Monsos: To my mind, it meets parts of three.

President-elect Rouillard: Which three are you identifying?

Senator Monsos: "a", "b," and "d." I am sorry, it does not really get into cross-cultural perspectives.

President-elect Rouillard: Thank you.

Senator Monsos: Are there any other questions? Hearing none. All those in favor, please signify by saying “aye.” Any opposed? Any abstentions? *Motion Passed.* Thank you.

The third item needs a little more explanation. The university received an invitation to participate in the HLC General Education workshop that was held last month in Kansas City. We put together a team trying to represent the general education: Tony Edgington, Kristen Keith, myself, Kate Bryant who oversees assessment for all of the math courses that are in gen ed., and John Plenefisch, the Associate Dean of Natural Sciences and Mathematics, the five of us went. It was a lot of information to pack into two days, and they gave us a whole book that we all brought back. We do think this would be a valuable framework for us to use. To remind you, currently the Core Curriculum Committee is charged with assessment of the Core. Several years ago, the Faculty Senate made the decision to assess only the courses that are in the OTM because at that point, we were not sure that any other courses would remain in our gen ed.. So far we have been assessing those courses, the courses in the OTM, but nothing else. The multicultural courses are not particularly well represented in assessment at all because not many of them double-dip. When assessment is done on those courses, they look at that course for its effectiveness in isolation, but it is not compared across the category in any way. We are not looking at “do we meet our standards in quantitative reasoning” or “do we meet our standards in communication,” we are simply asking if this particular course meets. This is a way to assess, but it is probably not the way to assess that tells us much that we can do anything with. We do not know if we are meeting our outcomes. The HLC provided us with this particular kind of framework with terms and definitions and each one leads from the other, which I will show you a visual of that in a minute. The goal is a broad category like critical thinking. The competency is the general statement of the student learning, but it is not assessable and that could be, “students will be critical thinkers.” Learning outcomes is where we start getting into assessment and that is stating what a student will be able to do. Performance indicators, which is a new term to me in this context, is what you do to assess whether they have met the learning outcome. There is a goal and that leads to a competency. There is probably more than one student learning outcome, but each student-learning outcome has as many performance indicators as the faculty determines it should have, faculty who teach in that area. This is what it might look like for an oral communication student-learning outcome. If the overall goal is communication and the competency is to be able to communicate effectively then one of the student learning outcomes, one specific to oral communication is “students will deliver a public presentation”. Performance indicators are the things that will be assessed. A student-learning outcome in this framework should be written at the completion of the course or of the program for assessing the gen ed. The students should be able to “action verb” something and those action verbs typically come from Bloom’s taxonomy, which has classified a whole bunch of action verbs for us at different levels of learning and understanding. So at the lowest level, you can tell something, you could relate, you could describe, and then it moves on up to the highest level where you are creating new things, where you are doing more high-level things. A typical kind of “difficult” to assess student-learning outcome is shown here. We have three verbs: identified, describe and analyze the social, political and environmental consequences of climate change. You have two verbs, identify and describe that comes from the second level of Bloom’s taxonomy and then you have analyze, which is at the fourth level. If you think each level should build on the level below it, then to analyze, you kind of have to already identify and describe, right? So, do we need to list the first two? Perhaps not. If you have to assess them, you have to assess all three separately. If a student is taking a minimum of two natural science courses, are they going to cover the social political and environmental consequences of climate change no matter what two natural science classes they take? Maybe or maybe not. This kind of student learning outcome is

not particularly helpful to us. Right now, we have five learning outcomes for the core curriculum. I know it (what shows on the screen) is small, but we have a lot of words in there and they are all packed in—it's communication, personal, social and global responsibility, critical thinking and integrative learning, scientific and quantitative reasoning and literacy, information literacy and then we have descriptions about what that means. This is what we are currently using to assess the classes that are in the OTM. If you go further into the document, and this partly comes from smooshing the newer core curriculum text that we established last spring with what was already there in the catalog, these are also there. These five student-learning outcomes are listed under each of the individual categories such as arts and humanities, natural sciences, and social sciences. It says it at the top after completing the core curriculum in the arts and humanities and then you see this. The next section says...in the natural sciences and then you see this. It is exactly the same for each one, but that is how it ended up in the catalog. They are similar to the other seven learning outcomes, but not the same. If we look at one, personal, social, and global responsibility, it says, "UT students must demonstrate understanding..." Demonstrate is not particularly high-level and using the word "understanding" is a little tricky because you cannot peer into someone's brain to see whether they understand something or not, and this doesn't specifically say how they are going to demonstrate that they understand. There are an awful lot of "ands" and when you start getting a lot of "ands" in here, that's because we're trying to cram a whole bunch of things into one, so it may be that we need more than one student learning outcome to accomplish all of that.

Senator Hefzy: If you have a student that has many "ands," do you have to assess each one of those?

Senator Monsos: That would be the idea, yes. If that is what you want to say that students have to do, then that is what we should be assessing.

So going back. Performance indicators, remember, the oral communication one that had three performance indicators? If you have a number of different faculty, even if they are teaching the same class and they all agree to evaluate one student speech for purposes of assessment for the gen ed. to see if we met oral communication, then each faculty member is going to have their own set of things that they look for, and there is no way to compare across that. If someone is doing a persuasive speech vs. demonstration, they are going to be looking for different kinds of things. What has to happen for assessment for gen ed. is they have to agree on the key indicators that everyone will assess and then they will assess for their particular assignment. In this example, everyone will look at whether students are appropriately citing and providing sources, whether their examples are effective, and whether their speech is well organized. Everyone will do those three things and whatever else they want to do is fine, but these are the three that they are going to report back on for the oral communication. That leads to this resolution. The action plan that we have developed coming back from this workshop was one, we probably need to relook at our student learning outcomes and put them in more assessable formats. The framework they provide of the goal and the student learning outcomes and performance indicators, that will probably work well for us. So that is what the group of five that came back would present to you as what should probably happen going forward and that would be the first step. Once those are re-written and, the Core Curriculum Committee would be involved in that to would approve it first, it will then come forward to Faculty Senate for approval. When all of that is done, then Alana Malik will work with the chairs and the directors of departments and programs that offer gen ed. courses to figure out at least one if not two student learning outcomes would align so everybody knows what need to be assessed. Then Faculty Senate would have to step in again to start figuring out how we are going to put that into play.

President-elect Rouillard: How is this going to affect courses that are already approved in the OTM?

Senator Monsos: I do not see that it would.

President-elect Rouillard: Well, you are talking about gen ed. courses and we have gen ed. courses that are in the OTM and they have been sent forward to the OTM with particular student learning outcomes and assessments. If you change those---

Senator Monsos: Well, the course learning outcomes would not necessarily have to change, it would be the overall core curriculum. The other thing that we have been called to do, and it has turned our attention to this, is we have been asked to map our core curriculum student learning outcomes to the new institutional learning outcomes. Right now, ours is written so broadly that they kind of map to everything, and you do not want to access everything for everything because that is a ridiculous amount of work. Tony or Kristen, do you have anything to add?

Senator Keith: No.

Senator Monsos: All right, so what the Core Curriculum Committee is suggesting having received that report from the five of us is that Faculty Senate approve just this first step, which is a group rewriting the student learning outcomes and bring it back to Faculty Senate for approval after approving it through the Core Curriculum Committee.

Past-President Humphrys: I think it is a wonderful idea.

President-elect Rouillard: Is any of this going to go through college councils where the different categories tend to be hosted? So will arts and humanities---

Senator Monsos: How would you like to see that?

President-elect Rouillard: Will it go through the college council to talk about what arts, humanities and social sciences would look like?

Senator Monsos: I am not sure how to do that, but we can certainly try to figure that out. There are several colleges that have courses in the gen ed, it is not just Arts and Letters and NSM.

President-elect Rouillard: I know, but it might be helpful to have some input from college level committees.

Senator Monsos: It might. The gen ed. is overseen by Faculty Senate, not by the councils and the councils have no approval as to whether something is in the gen ed.

President-elect Rouillard: But it will still be useful for them to know.

Senator Monsos: If we can find a way for that to be done then that is fine, but I do not want to take away from Faculty Senate ownership of the core.

President-elect Rouillard: No, I am not arguing for taking away ownership, just for input and information.

Senator Monsos: I would be interested to hear about how that would happen.

President-elect Rouillard: Okay, we can talk.

Past-President Humphrys: Senator Monsos, I can never remember how we label these or what category this is, but does this process include our multicultural courses?

Senator Monsos: It would now.

Past-President Humphrys: Okay.

Senator Monsos: We do assess a small percentage of the multicultural, but we assess them as they fit in the OTM, not necessarily as multicultural courses because that is not a category.

Past-President Humphrys: Right.

Senator Monsos: So if it is social science then it is an assessment social science and not as a multicultural course, and only the double-dips would fall in that category. Have I confused everyone completely?

Senator Gilchrist: Yes, I am confused. This is kind of new to me, so I am just curious. It sounds like a lot of work, so I am curious of what the impetus and/or benefit is of doing this.

Senator Monsos: The last time HLC was here, they said, “okay, that is a good first start on your assessment,” and they will be coming back. I would like us to move a little beyond that without adding a massive workload for individual faculty. If we just said, okay, now you have to access all the courses in the core, that is at least twice, if not three times as much of the work they are now doing. There are several different ways that we could create a timeline of this. We can just start with one of them or we can pull a faculty group together, of the faculty members who teach the classes that has aligned to that particular goal and have them develop the indicators. We did an exercise where we developed key performance indicators that we thought would be impossible to do, and Kristen made us do quantitative reasoning. It took about 20 minutes. We were supposed to write down every student-learning outcome we could possibly think of, that had anything to do with quantitative reasoning on post-it notes. Then we put them all up on our poster board. Then we were supposed to group them, and once we grouped them, we ended up with four groups. She said now write a summarized student learning outcome that includes all of those, and we did, and it worked. That exercise is sort of a backwards design kind of thing, but it worked quite well. Kate Bryant from Math looked at it and said it does work for every one of our math courses. I think it is possible, but it will have to come back to Faculty Senate each step of the way.

Senator Ohlinger: I apologize because I came in late, so I may have missed it. The question is who will be evaluating all these across the different programs?

Senator Monsos: That is part of developing this new structure. One thing that is possible is that faculty groups are developed for each of the learning outcomes that are developed and those groups can do the assessment. Those doesn't necessary have to be the same number of people, but it should be the people that teach in that area. For example, if we had an oral communication student-learning outcome, we could identify all the courses that have an oral presentation of some sort. They will agree on those performance indicators and take a random sample across those so you are not looking at every single student and every single class, but you are taking a random sample across and evaluating those. The faculty-working group could do that or we can find another way. Blackboard has the ability to do this for us, to take random samples for things that was submitted in Blackboard—Tony uses that now for English Composition. It is time consuming to set up, but once it is set up, it is easy to use. For a faculty member, it is simply a matter

of clicking the box to align the assignment to a particular learning outcome. All right, are you ready to vote? All those in favor, please signify by saying, “aye.” Any opposed? Any abstentions? ***Motion Passed.*** Thank you very much. The following was approved by Faculty Senate:

Item 1. ART 1040 Fundamentals of Arts Studio Technology – recommend approval for Arts/Humanities status.

Arts and Humanities

Such a course is likely to reside in the arts, classics, literature, history, language, religion or philosophy. Arts and Humanities courses should be broad-based; narrowly focused courses will generally not fulfill this requirement. In order to qualify for the core curriculum, a course must fulfill at least one, and should strive for a preponderance, of the five criteria below:

- a. Provide an introduction to a particular arts or humanities discipline;
- b. Provide historical perspectives of our world;
- c. Provide an overview of philosophical systems that compete for our attention;
- d. Provide a broad understanding of literary or cultural currents of the past and/or the present; and,
- e. Present cross-cultural perspectives.

Item 2. PSC 3280 Race and American Politics – recommend approval for Multicultural Diversity of US status.

Diversity of U.S. Culture

A Diversity of U.S. Culture course includes, but is not restricted to, an examination of the economic, political, philosophical, social or artistic life of distinct cultural communities in the United States. Cultural communities may include but are not limited to communities based on race, ethnicity, class, gender, sexual orientation, beliefs and disability.

A student who completes the diversity of U.S. culture requirement should be able to:

- Explain the cultural relationships between dominant and non-dominant cultures within the U.S.;
- Describe how diverse cultural communities contribute to the development of U.S. culture; and,
- Compare complex social structures within diverse U.S. cultural communities.

Item 3 – Submit the following motion to Faculty Senate for approval.

The FS Core Curriculum Committee, which is charged with overseeing assessment of the UT Core Curriculum, recommends that a small group consisting of the 5 member group that attended the HLC Gen Ed Assessment workshop and up to 2 additional Core Curriculum Committee members should revise our current Core Curriculum Student Learning Outcomes and submit them to the Core Curriculum Committee for approval. If approved by the Committee, and subsequently by Faculty Senate, all core courses will then be aligned to one or more of the Core Curriculum SLOs in order to prepare faculty to develop common Performance Indicators for subsequent assessment.

President Thompson: Thank you very much for your work with that, Senator Monsos. Next, if we can have the Elections Committee, Dan and Sybille, come up to just give us an update.

Senator Weck-Schwarz: All right, this will be very brief. First off, all of the nomination elections for Senate, UCAP, and the Sabbatical Committee were closed on Friday. We processed the information and sent out the list of candidates to individual college representatives. They are now in the process of contacting the nominees and finding enough people who are willing to be listed on the final ballot. Giving that some colleges are more responsive than others, we have four colleges who have already finalized their final ballot and quite a few others that are still working very hard at it. With respect to the timeline, we are targeting mid-next week to have the final ballots established. We will then send out the links again to the final ballots and we anticipate two weeks of voting. It will probably be a little less than a week before the final Senate meeting on April 24, that when we should have all of the results in, well, at least the senators.

Senator Maloney: Are you saying that everybody in this room should have received that on behalf of our college or just certain people in the room?

Senator Weck-Schwarz: No, it is just the representatives. The Election Committee has received the list of candidates and they will contact the top nominees to ask are they willing to serve if they're elected, so it is just the Elections Committee that is working on that. You should all receive the ballots sometime next week.

Senator Compora: Well, we hope so.

Senator Weck-Schwarz: Yes. We have to cut it off at some point. There is one thing I want to mention right now because this always cause confusion, and that is the final ballot for the Sabbatical Committee. The electorate for that final ballot is the Faculty Senate. This means, every faculty senator will receive that final ballot for the Sabbatical Committee and they will vote for all colleges that are currently running elections for the Sabbatical Committee, which is Education and Law. So if you do not know what that college is about, you are still going to receive a ballot, so do not think you got the wrong ballot. If your colleagues ask why didn't we get the final ballot for that committee, that is the reason.

Senator Compora: I just wanted to thank the members on the committee. I think we have two here, Kim and Glenn. Is there anybody else on the committee? I really appreciate your help. I think Kim has the record; she got all of the College of Business people before I even sent out the request to my college. We could not do this without them. This is really a very difficult part. I was charged with Medicine and Arts and Letters, and I have probably sent about 70 emails and received about four acceptances so far. This is a real chore that the committee members do and so we really appreciate it.

[Applause]

President Thompson: Very good work. We are ahead of schedule, which is even better. All right, Dr. Keith, we have two policies that we are going to be discussing, I think our first is the textbook policy, is that right?

Senator Keith: Yes. I asked President Thompson to send an email and I believe she sent it [to you] last night to talk about the textbook policy [[View Policy](#)].

There was also another attachment, which was the memo from Dr. Hsu that was sent out last fall [[View Memo](#)]. I consider this to be sort of a current unofficial policy till we actually pass the draft of the textbook policy that you received. In the email, I told you that after the Ohio legislature signed into law, ROC3345.025, which is the Textbook selection policy, and as you might recall, when the budget bill first came out there was some talk about colleges and universities will have to pay for student's textbooks—to some extent, this was kind of the compromised language that said we are really serious about doing something about textbook costs. One of the things that the university had to do is they had to pass a policy by the Board of Trustees. This policy is for faculty to follow in selecting and assigning textbooks and other instructional materials for use in courses offered by the institution. It shall include faculty responsibilities, actions faculty may take when selecting and assigning textbooks, and other instructional materials. This policy is a response to that mandate. The committee looked at that language and we think this policy actually does cover the mandate. It addresses each one of those points because the language was not very specific. So how this primarily differs from the Provost memo from fall 2016 is that the committee distinguished between self-authored materials that are published by academic presses or

textbook companies that had been edited, vetted, peer reviewed and then self-authored and self-published materials that are self-published. What we did in our distinction there is we basically said for self-authored and self-published materials, you do need to have the chair's approval and you do need to disclose to the chair and to your students that the material they are paying for, you potentially financially gain from. In terms of faculty-authored materials that are published by academic or trade publishers in the field, we modified that language to say that the faculty shall inform the chair or appropriate administrator and be mindful of the perceived potential financial conflict of interest. I do have majority support from the committee to bring this forward to you and ask for your approval. Is there any discussion?

President-elect Rouillard: Would one way of avoiding the “conflict of interest” concern be, any of these self-authored or self-published materials simply be made available in the library on reserve and then avoid this question of having to go through approval, because now you open up the chairs to favoritism, “you approve my colleagues self-authored materials, but you haven't approved mine?”

Senator Keith: I do not know because I am not familiar with people who actually do self-publish. I do not know if they need to do that because they want to make sure that all students have a copy of it and what they are charging is the material cost. I do not really have a sense of the entirety of what it means to self-publish. I do not know if making them available at the University Library would actually satisfy the demands of the class.

Senator Bjorkman: I could imagine situations where, for example, lab manuals might be technically self-published and every student needs a copy of it.

Senator Keith: If there was a dispute, I think there is room in here for faculty to challenge the chair who did not approve the assignment of self-published material, and that the college dean or the academic dean would be the final decision makers. Maybe it is not strong enough, but that actually did not come up when we were talking about this at our committee meetings. There really was not a concern that people who were self-publishing could instead just put the materials in the library.

President-elect Rouillard: And again, as you pointed out, because we do not necessarily have the definition of self-published, what if a faculty member has his or her own set of teaching notes and simply makes this available to students, is that going to require a review by the chair?

Senator Keith: It is very clear, only faculty-authored materials for which students are required to pay. If you have your own notes and you make them available to students because you send out a pdf. or if you post them on Blackboard then there is no reason for you to pay any attention to this policy whatsoever because it doesn't cover what you're doing.

Senator Hefzy: [*Indecipherable*]...faculty challenge the chair.... The second thing, we used to publish notes at Kinkos and if you...papers, so students have to pay them, right? So if that...have to pay?

Senator Keith: I think that would be covered by this policy because students are required to pay, but what they are paying for is the cost of the materials. I wonder if these days, instead of actually having a lot of those [papers] published at Kinkos, faculty could just send electronic versions of the material and have students print them themselves. In terms of having a dispute with the chair and being on a “black list,” I do not know how you can put that into a policy to make sure it does not occur.

Senator Kippenhan: Do you have any idea how many faculty members are actually going to be affected by this policy?

Senator Keith: I do not.

Senator Kippenhan: And I am guessing nobody on your committee is a self-publish author.

Senator Keith: I do not believe so. I will tell you that what is in effect right now is the Provost memo and right now, we are not asking for anything in this policy that is not currently being asked in the Provost memo.

Senator Wedding: Item 4. I will read it from here because I cannot read it on the screen. “*When assigning faculty-authored material published by academic or trade publishers in the field, which are subject to editing and peer-review processes, faculty should inform the chair or the appropriate administrator,*” that is probably okay up to that point. “*... and be mindful of the perceived potential financial conflict of interest.*” I do not know what that means, but I do know when you have a publisher publish your book, you normally get a royalty, it might be 8% etc. I also know when the university get this marked up over at Barnes and Noble, they will end up making about three or four times that. I do not know where the “conflict of interest” will be, but it might be more with the university than faculty. This is not self-published and this clause has nothing to do with self-publish. As I read it, “*...be mindful of the perceived potential financial conflict of interest,*” I do not think there is a “conflict of interest.”

Senator Keith: I think the reason for this is maybe we should have a textbook policy, but the other reason this policy exists is that we are required to do by the state. The state’s primary reason for having a policy in a way is to try to reduce textbook cost. This language is just in there to show that we made a good faith effort to show that we are mindful that textbooks are expensive. We are not really asking faculty who have faculty-authored materials that have been published by academic or trade publications to really do anything other than simply inform the chair and just think about how much the book cost relatively to alternatives. Nobody is telling faculty that they cannot assign those materials.

Senator Wedding: We have met three times on this. I was present at all three meetings. We did open up the state law, Mary Powers was there and I opened it up, and we read it. I do not see anything in that small state law that requires us to admonish our faculty who are hardworking on preparing a textbook to “be mindful of the perceived potential financial conflict of interest.” There is no financial conflict of interest here. In fact, his name is going to be on the book and everybody is going to know about this. Now, if you want to say they cannot take their royalty, I would be in favor of that if the university would also give up its profit.

Senator Keith: This is a policy in front of you, do I---?

Senator Wedding: This clause was added after our three meetings; it was not present when we had our meetings.

Senator Keith: I sent it out to our committee with this clause in it, and I asked for a vote and the majority of the committee members voted in favor of it. This is coming to Faculty Senate from the committee with the majority of the committee members voting in favor of it.

Senator Wedding: I object to the fact that you are pointing a “conflict of interest” finger potential at faculty who are preparing textbooks on this campus.

Senator Nigem: I will just like to say, we need to be mindful of words that goes into policies. When we do not understand what they mean, we do not understand how they will be applied. And when they go into policy, they will be used.

Senator Schneider: So when I read that policy, it seemed to me that a “perceived conflict of interest” might be from a student in the classroom going, “why do I have to buy the book?” I would think to be mindful on that perception on the student’s part and that a faculty member might want to think about that so they have a reasonable response to the student. I remember buying textbooks that faculty members had written when I was in school and I always wondered if that was the book we had to have for that class.

President Thompson: I think if people are hung up on the word “mindful,” we could use the word, “aware.” I do think that having some language in there that draws attention is needed because students have that question of, wow, I’m teaching a class and we might be using a book that is not quite what it might should be, but the instructor authored this, so we are using it. I think just creating the fact that be aware that students question those kinds of things, so I think “aware” might be a good substitution.

Senator Schneider: If the faculty member is prepared to say to the student, we are using this book because everything I know and believe that is the best way to teach you this material, I poured into this book.

Senator Wedding: How do you---

Senator Keith: Next is President-elect Rouillard, then Senator Weldy, and then Senator Hottell.

President-elect Rouillard: Could you give us the language from the state law that is related to number 1, 2, 3, and 4?

Senator Keith: There is no language; this comes from the Provost memo from fall 2016.

President-elect Rouillard: Okay, but a memo is not a policy. We do not necessarily have to have this in our policy. We can be compliant with the state with the previous language and we can leave this section out, particularly if the law does not require it.

Senator Wedding: I also want to point out number 1. up there, the second---

Senator Keith: Senator Wedding, it is not your turn; other people had their hands-up.

Senator Wedding: All right, I will wait.

Senator Weldy: In Medicine, we have a lot more restrictions and we are prevented by law from having any potential conflict of interest. Anytime a person has a potential to gain financially from their opinion or direction of people, that is a potential “conflict of interest” — I think the statement is simply to be aware of that or mindful of that. It is not obligatory of preventing that from happening and it is a very easy thing. If this was in the College of Medicine, it would be prevented.

Senator Hottell: I do not know the extent of which the committee discussed this, but in the policy and in our discussion here, I am not hearing something that I want to hear about the best academic interest of the students. Most of the people I know on this campus and other campuses that has offered textbooks have done that because they did not find acceptable or the best materials for their students. I apologize, this came yesterday and I’ve been busy, so I didn’t read the whole thing.

Senator Keith: This is a textbook adoption policy and there is a procedure that does ask us to think about the most suitable textbook and other instructional materials considering these things. I think implied is maybe the best interest of students. It is not a policy that is talking about self-authored, self-published, and faculty-authored materials, it is a textbook policy talking about our selection of textbooks. I would like us to vote. If it turns out that there's not enough support for this policy, then we will bring it back to the committee and we will take into account some of the things that you've said. But like I said, the majority of the committee approved sending it "as is" to Faculty Senate. It seems to me that the big hang-up here is in terms of this one phrase under 4., "...*the perceived potential financial conflict of interest.*" There are people in the room that seem to think that it is appropriate, as well as there are people in the room that seem to think it is inappropriate.

Senator Gilchrist: Just to clarify for the record. It sounds to me like some of this might be cleared up just by recognizing...As I read it, part 4. has only one operation, and that is requiring the faculty member to give notice, period. So after that notice there is no opportunity to review or reject the contention of this. So number 4. doesn't do much, except express a value

Senator Keith: Right.

Senator Kippenhan: I am curious about why the statement, "*of the perceived potential financial conflict of interest*" is only for the one group of self-authored and not for the other.

Senator Keith: Well, I think because with the "other," you are already disclosing and you are talking to the chair or the academic dean. This is just giving notice. There is no approval that is being asked for in number 4. This is just words I think in a way that kinds of satisfy the state that we are attempting to be mindful of the high cost of textbooks.

Senator Kippenhan: But that is not what that's talking about. If you are addressing the high cost of textbooks, then you need a statement saying the cost of this book does match or is less than what is on the market. That is something different and maybe you need to have it in both cases.

Senator Keith: Right. However, I do not think we want cost as part of the things you should consider when you are trying to select a textbook.

Senator Kippenhan: I understand, but that was your explanation for why that word verbiage is in there. If you include that verbiage, it needs to be there for both sets of authors, not just the one. Even if it is approval by the chair, it does not remove your conflict of interest just because you are the chair.

Senator Wedding: Number 1, the second sentence says, "...*This does not include materials published by faculty with academic or trade publishers in the field, which are subject to editing and peer-review processes customary for materials in that field,*" that says one thing and then when you get down here, you are apparently repeating it and then adding "...*be mindful of the perceived potential financial conflict of interest.*" I just do not understand why you are repeating what you had in 1. and then adding that phrase.

Senator Keith: Well, some of this was a compromise with the Provost office. If we pass this policy and it get hung-up in the Provost office then it will come back to us, so I tried to resolve that conflict before we brought it to Senate. The Provost office initially was in favor of going absolutely with the Provost's memo so that we would not distinguish between self-published and materials that are published by

academic presses and textbook companies—everybody would be required to get approval from the chair and everybody would have to disclose to students. I thought number 4. was a good compromise that manage to do what the Provost office wanted as well as accomplish what the committee wanted, which was to not have faculty who are publishing books with academic presses and publishing companies having to seek approval from their chair to do so.

President Thompson: I just have a question. If we weren't able to pass a textbook policy during the rest of this semester, is it because it is by law it has to be in place by June 30? Is there a potential that we would not get an opportunity to draft this policy? In other words, would the Provost office actually have the opportunity to draft something and have it put in place without us actually being able to develop our own policy?

Senator Keith: I don't actually know that, but Vice Provost Ayres is back there and perhaps he can help answer that question.

Vice Provost Ayres: To be perfectly honest, we have not really discussed that scenario.

Senator Keith: But there is a deadline?

Vice Provost Ayres: We are mindful of the legal obligation for the state to have a Board passed textbook policy in place by June 30 of this year.

Senator Keith: And there is an April Board meeting and a June Board meeting.

Vice Provost Ayres: That is correct.

President-elect Rouillard: So if the law requires us to have the policy that considers cost, we could just eliminate this section. If we want to add it in at a later time, it could be added into the policy. The other problem that I have with this whole section about faculty-authored materials is that it assumes that it is going to be costlier than other materials. What if the faculty-authored materials are less costly than the other textbooks that are out there—now we cut off an opportunity to save students money. I think we need to get rid of that whole section, and we complied with the state's requirements.

Past-President Humphrys: Senator Keith, just a background. The reason we got that letter from Provost Hsu regarding temporary guidelines until a policy was written and approved is that he contacted me in October and there was a complaint from a student to the President's office about the fact they had to buy a book that their faculty member, I think it was a lab manual, had written. The student felt as though this was something that was unfair, and I suppose experienced the perceived issue we've been talking about that the faculty member was making money. So that is why Provost Hsu contacted me and asked if we have a self-authored textbook policy. I said, "No." Thus his memo was sent to faculty We consulted together and went to the AAUP manual to see what they had to say about faculty requiring self-authored textbooks. There is a reference in Provost Hsu's memo to what the AAUP has written on self-published materials and I think self-authored textbooks.

Senator Keith: It does not distinguish between the two.

Past-President Humphrys: Then, also if you notice, I dug back into the Minutes of a previous Faculty Senate meeting, and much of which appears in Provost Hsu's letter came from both of those references. So that is just a matter of background. I think it has been in effect since October 2016. So, the thing is, it

will continue to be in effect if we can't come up with our own policy—I assume that because it's been in effect without us having voted on it previously. I just thought I'd give you the background.

Senator Kippenhan: Since you had brought it up, I am the author of the book that the student complained about.

Past-President Humphrys: I did not know that, Senator Kippenhan.

Senator Kippenhan: I know you did not, but I will go ahead and admit it. The students do not understand what faculty do to bring the prices down, and that we were \$50 dollars cheaper than a similar book by another publisher—the students do not know that. That is the issue with that phrase, “*the potential perceived conflict of interest.*” The student complained without a policy present. If we put that in a policy, now, you are going to have a lot of students complaining. They do not understand the process. Every faculty member I have ever worked with on this campus, the first thing they were conscious about was cost. Quality, we do not even talk about because that is what it is all about. We are very conscious of cost and that is why we do what we do when picking books, that is a big part of the issue. If you are going to have that verbiage in there, it has to be there for both cases.

Past-President Humphrys: Can I just ask one question? This may make a difference, and maybe I am the only person who wants to know this. Senator Keith, when you said this was approved by the majority of your committee's members, can you give us a number, was it 5 to 4?

Senator Keith: It was 7 to 3. I did not hear back from three members on the committee.

Past-President Humphrys: 7 to 3 in favor?

Senator Keith: Yes, in favor.

Senator Gilchrist: Right. I think we all know that students who have professors who author the textbook are actually privileged to have that opportunity, whether they know it or not. It is usually a better learning experience and there is an excellence associated with being the author of the book. I was always proud when I was taught by someone who had authored the book, and I think my colleagues were as well. So we know that, and we also know to follow-up on Past-President Humphrys point, when she said October, I think it is October 2016 because I worked on this with the committee last year, and this policy as drafted is far better than where we started. I think we ought not to lose sight of that. I can see why section 4 rubs some people the wrong way as expression matter, but it is nonfunctional and it does not do anything. I would suggest that we pass this as is because I don't know if we are going to get a better policy than this, and if we don't pass it, I think we are subject to whatever policy the Provost office puts together.

Past-President Humphrys: I would like to *Call the Question.*

Senator Wedding: I would like to say one thing. I have the law in front of me and it is very short, do you want that?

Senator Keith: I think most of it is in the email that I sent to faculty yesterday.

Senator Wedding: All right, that is fine. The only thing is, I am not against this policy. I helped draft it. Thomas Atwood started this policy and he did a wonderful job. The first time we met and worked on it, it was four of us, and then it was four of us, and then it was six of us, so I have no problem with the policy.

I have problems with the language that suggest there is a “financial conflict of interest.” That is the sentence I want out and I would like to *move* to have that sentence removed, otherwise, pass the policy.

Past-President Humphrys: I would like to Call the Question.

Senator Gilchrist: *Second.*

Senator Keith: The *Question* has been *Called*, and *seconded*. Actually, she, Past-President Humphrys called the *Question* before you talked. All in favor of passing this policy as is, please say “aye.” All against, please say “nay.” I think the “ayes” have it, but I’m open to a show-of-hands.

Senator Wedding: *Point of order*, was there a *second* on this?

Senator Keith: Yes, there was. All in favor of this policy please raise your hand. All those against, please raise your hands. The “ayes” have it and the policy is passed. ***Motion Passed.***

Senator Wedding: What was the number?

Senator Keith: 29 to 20. Thank you very much.

Now, I thought this would be the easy one. Next, we have Research Misconduct [[View Policy](#)].

The background on this policy is this is a major revision of our current research misconduct policy, which is what I am going to call 3364-70-21. This policy was revised last year without input from Faculty Senate. There was input from faculty, but it specifically was not brought to Faculty Senate. It was posted over the summer for 30-day comment and President Gaber asked that it be taken down because some of the issues raised by some of the faculty in this room and she also wanted them to make some changes that she thought was good ideas. We had talked about these at a meeting earlier last fall, having three people on the Assessment Committee and having a different person from the vice president of research be the research integrity officer. The Provost gave us this policy last fall. My committee has looked at it. I believe we had five meetings, and not at every single one of those meetings we actually solely looked at this policy, but we’ve reviewed it. This policy, after it leaves us, will go to Graduate Council and I know it will go to Research Council. Research Council will look at it last and it will then go to senior leadership. If it is approved all the way down the line, well, I should not say approved because I am not going to ask for approval, I am going to ask for endorsement, then it will be posted for 30-day review. We are not the last word on this. The reason why I am not asking for approval is because we are not the last word on this—what goes out, may not actually be what the final policy looks like. So what my committee did was, our strategy was really knowing that it wasn’t our policy and our strategy was not to rewrite the policy, but to come up with a series of questions, comments, and ideas about what was actually going on with this policy. We went over it line-by-line and paragraph-by-paragraph. We had questions and comments that we sent to the Provost, which I believe was forwarded to the Office of Research. They made changes according to our comments or came back with a response of why those changes couldn’t actually be made. So in the email that you got today, and I apologize for it being so late, but I still wasn’t sure what version I was going to be able to send you, I explained some of this and I listed 17 things that was changed in this version. Again, is not the current policy, this is the draft that was posted last summer. It is quite different from the current policy and in fact, you probably cannot even get an electronic copy of the current policy anymore; you can only get a redline version, which is nothing but red. So they have made 17 changes per my committees’ suggestions, comments, and questions. I sent you the list of what

those things are. I did this redline myself by just using Microsoft Word ability to compare two documents. One of the things that they did was they put in the definition of preponderance of the evidence because that is the standard by which faculty or anybody accused of research misconduct is held to in the investigative stage. They defined the research integrity officer and made the president or her designee the responsible agent for appointing the research integrity officer. It is no longer automatically the vice president for research. The deciding officer is the provost or his or her designee. We asked that the deciding officer or the research integrity officer be two different people, and they put that in. Some of this is just minor edits because we did go through it line-by-line. If we thought we should insert a comma or put in a capital letter, we felt like that would be okay. If the RIO and the deciding officer believe individuals may have a conflict of interest that would jeopardize the credibility of the inquirer or the investigation, they will not be assigned before it is sent to a decision making... We asked them to specifically call out the inquiry and the investigation channels. Here we wanted to make sure that if an allegation was just an oral allegation that it was put in writing by the person who received that allegation prior to the assessment stage so that there will be absolutely something in writing, even if it was a written charge that can be forwarded to the faculty who are on the assessment stage. There are now three people who will be on the assessment stage, tenured faculty members. We asked to put in there, with a faculty appointed below, the dean level. It was explained to me that we wanted it to be below the deans' level because there are associate deans who are members of research council and if we started below the associate dean level, we will be excluding people who probably ought to be appointed to some of these panels. The RIO will provide a description of allegations to the faculty members participating in the assessment via electronic mail. There will be no phone calls. There will be actually written record of what the allegation is. If it turns out that everybody believes that this was not a research misconduct issue, but it was something else, the RIO will forward that to the appropriate administrative unit. If the allegation moves forward, they will be a written charge that the inquiry committee receives and the respondent will be provided with a written charge. Individuals who have served on the assessment committee will be excluded from serving on the inquiry committee, unless their participation is approved by Research Council. Again, it was explained to me that Research Council has to have a member or somebody they designate to serve in their place on both inquiry and the investigation panels. So you might actually need to have the same person serve a couple of times, but in order for that to occur, it must be approved by the Research Council. There was language in there that some of the committee members objected to, so the language was changed to read this. I told you this in an email, I said the original language was "the advisors may be present during meetings or hearings of which the respondent is present and provide advice to the respondent, but may not speak, interrupt or participate in the process. Advisors that do not comply will be asked to leave"—that language was changed to: "an advisor or counselor may be present during meetings and hearings of which the respondent is present to provide advice or support to the respondent. The role of counsel or other advisors is limited to observation and advising the respondent on responding to questions. An advisor counselor may not however stand in the place of the respondent, speak for the respondent, or otherwise participate in the investigation process." Again, after the inquiry stage, if it turns out that it is not misconduct and maybe it is something else, the RIO will forward that charge to the appropriate administrative channels. Again, if you were on the inquiry committee, you cannot be on the investigative committee, unless your participation is approved by Research Council. Complainant was added in here. The responded and complainant has 30 days to comment on the report and their reports will be part of the written record. The last here is not everybody is AAUP faculty, so it was just the applicable grievance policy that is specifically calling out the contract.

President-elect Rouillard: First, I would like to point out that I think there are many, many improvements in this policy, but there are some new issues that will prevent me from endorsing this policy as stands. Those issues are that any one person could serve on more than one level of the whole process—if they're approved by the Research Council or not, it seems to me, yet another conflict of interest, so I would object to that. As I said, there are many improvements in this policy, but that is one that I find particularly concerning. The other one is the idea that even at the assessment stage that a counsel or a representative who goes in with the faculty member can't speak—if there is somebody else who has some kind of information or analysis of the situation that could save everybody some time, it seems to me it will be useful for that person to be able to speak. I have issues with those two things.

Senator Keith: Well, I do not think this says they cannot speak; they can speak as a witness. I just do not think---

President-elect Rouillard: At the assessment level?

Senator Keith: No, you are right on that inquiry.

President-elect Rouillard: So at the assessment level I think that even there you would want any representative or counsel to be able to speak. There could be some missing information that could be revealed at that level that could make the rest of the process unnecessary.

Dr. Michael Dowd: I would like to talk about both of Linda's comments. With regard to your first point, Linda regarding research council members serving on two different levels, I agree specifically with that. I think the language here has been added because Research Council members have been serving on upwards to six misconduct cases per semester and that is a lot. I think this is looking for relief on that issue. However, no person should sit in judgement at two different levels. That is the one issue I agree with Linda on. The second point I don't agree with for the simple reason, that assessment is not information gathering. Information gathering, which is what Linda is talking about would occur at the inquiring level, not the assessment. The assessment is simply looking at the allegations to see whether it could be dismissed out of hand or whether it should go to stage three, to gather information. Sorry Linda, I agree with you with one, but---

President-elect Rouillard: No, that is okay. I am not suggesting that at the assessment level you do a full-blown investigation, but that there could be some mitigating information that is missing in the original complaint that could quickly resolve the issue.

Senator Weldy: But why would the counselor be the person to provide that? Why wouldn't it be the person who the allegation is made against?

President-elect Rouillard: Sometimes people who face these kinds of issues are a little flabbergasted or overwhelmed, you are not necessarily your best advisor at that point.

Senator Keith: Senator Relue had her hand up then Senator Hottell.

Senator Relue: Just two quick things on page 7. Under 7. (b) where you've done the significant redact. I would recommend a friendly change to that wording, "*participating in the investigation process.*" Change investigation to inquiry because we are not in the investigation, we are in the inquiry process, just to make sure that those two are distinct from one another. Then I want to make a comment and maybe Mike can answer this because he has been on a lot more of these than I have. Often in the assessment of this there

isn't any communication of either the complainant or the respondent, it's simply looking at the information at hand to see whether or not it looks like it could be a "there" there. If the information provided by the complainant does not seem to rise to a level of moving forward, that is what the assessment is for. The inquiry is one where they are gathering information from actual individuals and additional information.

Dr. Michael Dowd: That is right.

Senator Hottell: I want to speak to the point that President-elect Rouillard made and Mike made, and that is whether or not the same person is allowed to be on both inquiry and investigative committees. I would speak against having those people there. I think it is important that the committee members be entirely different. One of the reasons it can be, in spite of the fact that research council members are numbered and that they are picked out often, it now says that you must have one research council member on each of those committees, but you can bring in people from outside research council. So that allows you to tap into the entire university and not over tap to the people in Research Council. In order to keep from a conflict of interest, I think it is really important to have them different in fairness to the person accused.

Senator Keith: And again, the committee has not come to consensus on this. That is what the committee wanted, but Connie explained to me that she thought there needed to be an...in this policy in the cases where you absolutely have limited expertise or you absolutely have people that needed to be on both committees. Maybe we could make it non-voting, that you can only vote once. She is shaking her head, no, we can't do that. I don't know, Connie, would you like to share?

Connie: I think that was primarily the concern. The way I was interpreting it is that, yes, you want a different set of people in both the inquiry and the investigation stage, but the exception would be with approval from Research Council. That exception would be if you really have someone who has expertise in that area, I would think for the respondent that you really would want someone who really does understand your particular discipline because I think that person with appropriate expertise could understand the nuance between honest error and differences of opinion within the field. So that was the concern because we are relatively a small university. Then you could put yourself in the position where if you didn't have the expertise in-house, we will have to go outside the university. I think it is healthier for us to have the inquiry investigation members from our own faculty.

Senator Maloney: I admit that I am new to this university and there are a lot of nuances that occurs, but as a non-CBA employee, where would that leave a person like me about having a collective bargaining representative?

Connie: No, it is not collective bargaining; you can always have an advisor or counselor, always.

Senator Maloney: Well, it says, "and/or." Then the second piece of that was, again, sort of this idea of people with the greater knowledge. There might be people that have been here a long time and do a lot of research in the College of Medicine and various others that are not tenured, so how would that work because you said representatives could only be tenured faculty?

Senator Keith: Well, that was on the assessment. Does it say anything about tenure on the inquiry and investigation? I mean, ideally, it should be tenured, but I will have to go back and look.

Connie: I will have to go back and look because I do not know the answer to that. I think most of the time on the committee you want tenured people because it is not a great committee to be on, but I think that is a good point.

Senator Relue: I just want to point out language that is in here that gives the respondent the opportunity to object to a committee member. If you didn't double-dip somebody on both the inquiry and the assessment panel, the respondent is able to say, yes, I would like it to go forward or no, I wouldn't. I would think that they will have to make their complaint in sufficient detail where they can say, I do not want this person at both levels of authorization.

President-elect Rouillard: Where is that, Senator Relue?

Senator Relue: If you look at (c) at the top of page 10. If an appropriate conflict of interest is, I do not want this person evaluating me twice, that would allow for them to strike that person from being on the investigation.

President-elect Rouillard: But the problem is that the research integrity officer still has to make a decision about that. The research integrity officer can decide against the respondent.

Senator Keith: I think that would be grounds for the appeal.

Dr. Michael Dowd: I would like to echo with Ruth. How long have you been on Research Council, about 12 years, right?

Senator Hottell: Something like that.

Dr. Michael Dowd: I've been on it for 18 years. Now, that is sort of whining because Research Council members know that this is part of the job. When you are on research council, if a case comes up, you serve. Trying to relieve the pressure by saying someone can serve in two different levels, I think at best it is the second best solution. We want a process where there is not even the appearance of someone being able to express their view in two different votes. So I would suggest, and I am not a senator, that that language gets to be stripped. Pass that on to Graduate Council and I will make a point at Research Council, Ruth, you do the same thing. If there are other Research Council members present today, they can express their views at Research Council. Of course, for the misconduct policy, you have to have very clean processes, the assessment, inquiry, and investigation because the issues are far too important. These are far too serious to be hung up on an issue that whether it is suitable for one person to express their view twice.

President Thompson: Is that a motion?

Senator Keith: Well, I would like with your permission to ask Faculty Senate to think about this and actually read the policy and read the email that I sent out. I know I sent it out very late, but perhaps at our next meeting maybe we can come back with the idea for voting on it. I don't know if we should strike that language today or if that could be an amendment when we come back, but I know we are running out of time because we still have a full agenda.

President Thompson: Sure.

Past-President Humphrys: Can I just ask this question? So we are not voting to approve this, we are voting to endorse it? So if we vote to endorse it, it goes forward in its current form to whomever it goes forward to and if we vote to not endorse it, it goes forward in its current form to whomever we want it to?

Senator Keith: You know, that is not clear to me. I am not really sure because again, it is not a policy that we are going to approve because ultimately, if it belongs to anybody, it belongs to Research Council, although it belongs to all of us.

Senator Wittmer: Is it possible to take a very informal vote to see who has a problem with that language to determine if it might be relative to take it out?

Senator Keith: I guess my issue is, we can take it out and it can be put back in. Anything we do here is not binding because it is going to Graduate Council and then it is going to Research Council.

Senator Wittmer: It is not binding if we are supporting and endorsing it, that means we are supporting and endorsing it.

Senator Keith: Right. We can do that.

Senator Giovannucci: Can we endorse with the recommendation to change the language?

Senator Keith: I think we can do that too. I think there are other changes that we would like. There is a list of things that we would like to send to Graduate Council and Research Council to consider when evaluating the policy.

Senator Nigem: I think I read on the Faculty Senate webpage that “we represent the voice of the faculty,” and this needs to reflect the collective voice of the faculty. If the voice says to take that out, it should be taken out to reflect that.

Senator Keith: I agree with that, but I am just saying that it may come back again, and that is all I am just saying.

Senator Gilchrist: On the endorsement idea, if we endorse a policy, whatever one we endorse and it subsequently change, I think it should be clear that the Faculty Senate did not endorse the final thoughts.

Senator Relue: It is not a binding vote, it is an endorsement. I would recommend, and I do not know how the Robert Rules works on this, but if we can remove the opportunity for people to double serve.

President Thompson: So that is a motion. Do you want to make a motion?

Senator Relue: I *move* to strike the language where people are allowed to double serve on the inquiry investigation.

President Thompson: *Second.*

Senator Keith: All in favor please signify by saying, “aye.” Any opposed? Any abstention? ***Motion Passed Unanimously.*** It is in two places and I will remove it from both places; it is under inquiry and it’s under assessment.

Senator Wedding: I think you can do that just by removing, “*unless their participation is approved by the Research Council.*”

Senator Keith: I got it. I got it.

Senator Kippenhan: Can we just send an email to you of any other changes that we need to make?

Senator Keith: Yes, please. I will change that and please send your emails to me. Hopefully, President Thompson would put on the next agenda so that we can vote to endorse or not to endorse. Thank you very much.

President Thompson: Thank you very much, Dr. Keith. I know this is a ton of work and your committee's done an excellent job. All right, next on the agenda we have the TOEFL resolution.

Past-President Humphrys: Thank you. This is just = an addendum or an addition to something that happened last year. If you remember, last year at Faculty Senate we approved a change in the minimum score that is required on the TOEFL for admission. I did not want to assume everybody is aware of what TOEFL is, it is a Test for English as a Foreign Language. We approved an increase in the minimum score requirement.

The Provost office has put together a committee of people—and they are up here on my presentation--a representative group of the people who were either concerned about what TOEFL will do in terms of enrollment and faculty who are especially concerned with student preparedness. If you remember last year, Senator Lundquist and Professor Reichelt played a role in making us aware of the TOEFL issues. Last year, what we concentrated on was the minimum score, and we increased that and that was passed by the Faculty Senate. Here on my presentation is the Motion that was passed: If you've noticed on the international admissions website, they noted this change and so it is in play for those international students being admitted starting this summer of 2018.

The current committee was looking at other issues that need to be addressed, and this won't be the last one. The TOEFL situation has many facets and so we are trying to look at one at a time. The committee made the decision that one of the next things that we should look at is who is required to have a TOEFL score. I do not recall off the top of my head the exact number, but there is a large percentage of our international undergraduate enrollment that are transfer students, so we decided that should be the next group that we look at--our undergraduate international transfer students. What the current policy says is that international transfer students at UT, and I took it directly from the admissions webpage, if they come from a college or university in the United States, they can fulfill their English language requirement if they have completed 24-semester or 36-quarter credit hours— that is strictly, what it is based on. What this means, if you come in with 24-semester hours or 36-quarter hours, you do not have to have a TOEFL score. By the way, TOEFL scores are in effect for two years, so they are active for two years. If you've taken it in the last two years, it is considered an active score that we would accept. So currently, whether you must provide a current TOEFL score is based on the number of completed credit hours and that is it. If you come into the University of Toledo as an international transfer student and you have 24 semester hours, you do not have to have a TOEFL score. We talked--and Senator Lundquist also was part of this discussion-- and there is a concern about whether this is an adequate way to measure the English language skills that students need to be successful at the university. Those 24 hours could be math courses, could be science courses, it does not necessarily have to be a course that is geared towards actually writing or speaking English.

As I mentioned, the challenges with that policy is that there is really no guaranteed relationship between the number of credit hours someone comes in with and what their English language skills are. If you come in as an international student, you will have to take our writing test regardless of if you need a TOEFL score or you don't. Professor Reichelt brought in many writing samples of students who did not have to come in with TOEFL, and it was pretty obvious that their writing skills were very poor and probably would have a hard time succeeding. The other thing is, it is somewhat difficult to track these students, and the reason is, if you come in and you don't have Comp I credit and you have, for example, 27 hours, it is a little bit more difficult to kind of pin you in the system for the fact that you need to register either for a ESL Comp or basically, you can just come in and register for any Comp section that you want if somehow the system misses you as being international. I know Julie Quinonez is here, our Registrar, and she was very instrumental in pointing out some of the difficulties with this. They tried their hardest to correctly identify all of the international students, right Julie, but there can be situations because some of this has to be more-or-less done by hand, sort of speak?

Registrar Quinonez: Are you talking about getting them in the right section?

Past-President Humphrys: Yes.

Registrar Quinonez: Admissions put an attribute on the student's records for these students at the point of admissions, which is manual. Then we run a cleanup every week to kind of look for some that were missed and we manually put them on there too, all hoping to get that code on there before they actually register for an incorrect section of Comp. They said it is working pretty well; I think I was the one complaining. I think it is working okay, but it is just not great.

Past-President Humphrys: Not at all, because it is not automatic. So we are proposing as a group, and we put this through the Faculty Senate Executive Committee and so it is coming from the Executive Committee, that instead of saying you do not have to take the TOEFL based on how many credit hours you bring in as a transfer student, that international undergraduate transfer students who enroll at the University of Toledo bringing acceptable transfer credit for Comp I will not be required to submit a Test of English as a Foreign Language TOEFL score. This will be in effect for admissions in the summer of 2019. We think this will be much more effective in making sure that the students who come in with Comp I can go directly into Comp II, or they are going to have to show us their abilities via a TOEFL test.

Senator Kippenhan: Thank you. I appreciate the amount of thought that you guys have put into that group of students. I have problems with the *motion* because we have no proof that the student transferring actually did his or her own work at that other university.

Past-President Humphrys: We talked about that extensively, and we did not come up with a way in which we could know that. Frankly, we probably can't really be sure that a student who is not an international student is the actual person taking a course. I know Sara, Julie and I talked at length about this. I know especially, Professor Reichelt was concerned about this, but we felt that this could be a first step because right now they can come in, we don't really know how they got those 24 hours or 36 hours, so they could be coming in with the possibility of slipping through the cracks regarding their English language skills. By that I mean, they could come in and they wouldn't have to have a TOEFL, which is the measurement that kind of sets the dominoes in motion to get them properly put on the system, so it is a dilemma.

President Thompson: Just for clarification. If they're transferring that in, wouldn't they had to at least have a "C" grade to transfer in?

Past-President Humphrys: Yes. With a Comp?

President Thompson: Yes.

Past-President Humphrys: Yes, it is the same rules and regulations. Also, it doesn't mean that they get into whatever program they are interested in. It does not negate any admission standards for programs. This is just talking about transfer students and what determines if they are going to be required to have an active TOEFL score.

Senator Hefzy: For international undergraduate students, is IELGS accepted? What is the minimum score?

Past-President Humphrys: I do not know, but that is a good question. In other words, we are using TOEFL as kind of the generic language in the motion, but if you come in with Comp I---

Senator Williams: IELGS is 6 ½.

Past-President Humphrys: Oh, okay.

Senator Williams: It will have to be 6 ½ or higher.

Senator Hottell: I missed the last question, 6 ½ or higher, what was the question?

Senator Williams: IELGS vs. TOEFL.

Senator Hottell: Thank you. I just want to question, what is the difference then between the requirements for international student admissions and other transfer and domestic transfer students?

Past-President Humphrys: Well, this is strictly dealing with TOEFL. I am not sure---

Senator Hottell: Obviously, a domestically educated student will be taking TOEFL.

Past-President Humphrys: Right.

Senator Hottell: I am just sensitive, especially in the current times here in this country. I am sensitive to avoid seeming as if we are trying to keep out international students.

Past-President Humphrys: I am glad you brought that up because Vice President Stephanie Sanders was on the committee and of course, her focus is on not discouraging students from getting admitted. She reassured us several times that this is very common to other institutions, so we are in the same boat and it does not take us out of "competition" for international students by doing this. Vice President Sanders was adamant about making sure that we do not put hurdles in the way of our students that other institutions aren't putting in their way.

Senator Hottell: Thank you.

Senator Van Hoy: Past-President Humphrys, do we know roughly, what proportion of our international undergraduate transfer students come in with Comp I?

Past-President Humphrys: I do not think we knew, no.

Senator Van Hoy: If we knew that quite a few had Comp I already, that would not be a concern.

Unknown Speaker: Just to clarify, we are talking about international students at other universities and colleges in the United States...accredited...

Past-President Humphrys: Yes.

Senator Relue: So is TOEFL required of all US schools? I guess my question is, if you are an international undergraduate student in the United States studying, at some point would you have had to take the TOEFL or could you get admitted to an institution that doesn't require a TOEFL and then transfer here with never having taken the test?

Past-President Humphrys: I think initially, you have to have some sort of test. TOEFL is one apparently of many, but it is the "one" that we deal with the most. I just actually had a conversation earlier today with Stephanie to make sure I answered that correctly. I do not think any international students could come in without having had...The only exception is there are international students who go to high schools in the United States.

Senator Relue: I am just wondering if there are people who might transfer here...then because they have not taken Comp I, have to take TOEFL or will they already have a TOEFL and we would just require them to see the score.

Past-President Humphrys: If it is two years or less, we would see the score. TOEFL scores only go for two years and then they have to take it again.

Senator Relue: But presumably, their TOEFL would not get worse if they have been here.

Past-President Humphrys: Right. That is a good question, but the thing is right now if they came in with fewer than 24 credit hours, we will still make them take TOEFL again. So that isn't an additional or new requirement, it's just when we require it.

Senator Relue: I know TOEFL scores is good for two years. If somebody has been in the United States longer than that, maybe some place else and wants to transfer in, and for some reason, forgot to take Comp I at some point, is there a reason that we would make them have to retake it or could we just look at an expired score?

Past-President Humphrys: Right now, according to this, we will make them retake it.

Senator Hottell: I think my next question gets to part of what your change is, which is ALI or equivalent, America Language Institute. If they have a passing grade, if they have gone through ALI or equivalent of at another institution, do they have to take the TOEFL?

Past-President Humphrys: Senator Lundquist, do you know?

Senator Lundquist: Yes, they do. All ALI students have to take TOEFL.

President Thompson: It can be 24 credit hours in everything, but English, right? It can be a lot of other things as well. We need to *call the Question*.

Past-President Humphrys: All right, good. The motion is:

- **MOTION:** International undergraduate transfer students who enroll at the University of Toledo bringing accepted transfer credit for Comp I will not be required to submit a Test of English as a Foreign Language (TOEFL) score. This is effective for admission to the Summer 2019 semester.

Well, if we could have a vote and this is coming from the Faculty Senate Executive Committee. All in favor of accepting this motion, say, “aye.” Any opposed? Any abstentions? ***Motion Passed.*** Thank you.

International Student Admissions

- ♥ TOEFL Committee (Test of English as a Foreign Language)
 - ♥ Vice President Stephanie Sanders
 - ♥ Vice Provost Bill Ayres
 - ♥ Registrar Julie Quinonez
 - ♥ Director of International Admissions Victor Finch
 - ♥ Professor Sara Lundquist
 - ♥ Professor Melinda Reichelt
 - ♥ Professor Mary Humphrys

International Student Admissions

- ♥ **MOTION:** The required Test of English as a Foreign Language (TOEFL) score for International undergraduate students seeking admission to the University of Toledo is a minimum of 71. This minimum score also applies to students coming from the American Language Institute (ALI). This is effective for admission to the Summer 2018 semester. (Passed by Faculty Senate April 2017)

International Student Admissions

- ♥ Transfer students currently enrolled in undergraduate study at a college or university in the United States can fulfill the English language requirement if they have completed 24 semester or 36 quarter credit hours of undergraduate coursework.

International Student Admissions

- ♥ **Challenges with current policy:**
 - ♥ No guaranteed relationship between number of credit hours completed and the students' English communication skills.
 - ♥ Can be more challenging to track the students who meet/exceed the required credit hours, for purposes of placement in Comp I sections.

International Student Admissions

♥ **MOTION:** International undergraduate transfer students who enroll at the University of Toledo bringing accepted transfer credit for Comp I will not be required to submit a Test of English as a Foreign Language (TOEFL) score. This is effective for admission to the Summer 2019 semester.

President Thompson: I am going to ask that we have Melissa come up instead of the scheduling committee just from a time perspective. Melissa, if you come on up and we will handle the schedule committee issue next time at our meeting. Thank you, Past-President Humphrys.

Dr. Melissa Gregory: I am here to show you the latest draft of the university level tenured and promotion guidelines. This is a document that has been kind of circulating around and being revised ever since last summer. Its intent is to provide a kind of broad vision for the processes and some of the basic definitions and concepts of faculty evaluation for tenured and promotion. The document that you have before you represent the input of many different groups across campus and many different colleges. This is one of the reasons why it has taken so long and the timeline has not always been tidy since some groups are more to hold than others because of their size. The big change that you see in this compared to the last time it came to Faculty Senate, there were some individual changes that were made to accommodate colleges. The big change to this particular document is that it had a kind of substance of preamble, which is about five pages, which defined tenured and talked about the various things to bring to a university. We kind of launched into the ways of which tenured actually gets evaluated at the University of Toledo. As I began to collect input from all of the various groups, it started to feel more and more like those were essentially two separate documents. The document defining tenure and talking about what it brings to an institution is really sort of a separate project, especially if we are going to do it as a university-wide kind of conceptual document, which means, we are including non-CVA colleges and that kind of definition gets worked out that way. Whereas, the goal for this particular document was really to establish some kind of layouts for the concepts that have to do with evaluating tenure and promotion. I was wondering if there was time for questions tonight, but there may not be time. We have another meeting in two weeks, in which I would very much like to hear if there was any kind of deal breaker issues with this document, so if you could contact me, email me, I would like to get back to you. We are kind of hoping this is sort of the final draft, but as I said, I would like to know if there is something in it that is really a great concern. Do we have time for questions?

President Thompson: We have five minutes. Are there any high-level things that anybody wants to bring up? Certainly, I encourage if you have specific issues to send an email to Dr. Gregory as we will possibly vote on this next time.

Senator Bruce: So we at the College of Law contacted Dr. Gregory individually about this. You invited deal breakers early on, so ours was with the idea that the original definition of annual is problematic and we worked with you to change it. I understand this goes with the document and it has shifted. To be honest, when we started this process, we were in favor of reducing...of abstractions, and that does not seem problematic to us in theory, but we are troubled at the College of Law that the university had used...the changes that we put in, which is the AAUP thing...academic freedom and tenure in the context of policy. So we see that in the context of other decisions...25-year difference from the faculty. That is

sort of where our alarm...I understand that we will be negotiating a different document, but this is all very sudden and it came last night. It is a matter of procedure and policy, that is really where we are hung up on it.

Dr. Gregory: Yes, I have to apologize for that timeline. I think that was not quite the window of circulation that I had hoped for. I do not know if there might be an opportunity for follow-up conversation here. I guess the question is, does that definition...in this particular document or might it be kind of an idea to initiate another document endorsed by Faculty Senate that not only include that definition. Perhaps we can put in the language that we worked on over the summer, which I think was actually very good language, but...is appropriate for this. One of the reasons I say that first because I think if we are going to actually define tenure, then that probably needs to involve the Board of Trustees, and that may be a different kind of project and document than this one, which is obviously...I understand where you are coming from, so the question is, is there opportunity for negotiation on this or could we use this as a springboard to maybe move into a different kind of project. My understanding from the provost is that he is quite open to that and would be more than happy to talk about tenured later.

Unknown Speaker: Is it just tenured or is that also for promotion?

President Thompson: The other thing to that just so you will know, sort of to start a Faculty 180 pathway with the new software, they are just asking to be notified so they can do that, so that is where this is coming from.

Dr. Gregory: When I was kind of doing research on this I got the impression that some...with having to come up with external reviewers at the last minute. This is not an easy task to find people to do that kind of work.

President Thompson: Sure. So if you have individually comments, please send them to Dr. Gregory and we will be discussing this at our next meeting. Before we wrap up, are there any quick announcements? Is there anything you want to say before we go? Is there a motion to adjourn? Meeting adjourned at 6:01 p.m.

V. Meeting adjourned at 6:01 p.m.

Respectfully submitted,

Fred Williams
Faculty Senate Executive Secretary

Tape summary: Quinetta Hubbard
Faculty Senate Administrative Secretary

