

THE UNIVERSITY OF TOLEDO
FACULTY SENATE
<http://www.facsenate.utoledo.edu>
Minutes of the Senate Meeting of February 28, 2006

Approved @ FS mtg. 3/28/06

HIGHLIGHTS
Distance and eLearning
Log Item 0506-07

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.

Chair Jorgensen called the meeting to order. **Senator Steven Martin**, Executive Secretary, called the roll.

I. Roll Call –2005-2006 Senators

Present: Ahmed, Barnes, Barrett, Bischoff, Bopp, Bowyer, Bresnahan, Cluse-Tolar, Edwards (Sullivan), Floyd, Fridman, Hoover, Humphrys, Jorgensen, King, Komuniecki, Lipman, Lipscomb, Lundquist, Martin, Niamat, Olson, Piazza, Poling, Pope, Ritchie, Schultz, Sherman, Spongberg, Stoudt, Suter, Teclehaimanot, Templin, Thompson-Casado, Traband, Tramer, Tucker (Hottell), Wilson, Wolff (39)

Excused: Barden, Barlowe, Kennedy, Kozlowski, Kunnathur, Lambert, Morrissey, Reid, Skeens, (9)

Unexcused: Fournier, Hudson (2)

A quorum was present.

II. Approval of Minutes–Minutes of the February 14, 2006 meeting were approved as distributed.

III. Executive Committee Report by Chair, Andrew Jorgensen: I have a relatively short Executive Committee report today.

- **The Academic Regulations Committee** has been charged with several academic regulations issues. Included in these issues are the W - IW grade policies, the C- grade for grade deletion, and honors and graduation transfer credits. An email will be send to all faculty by the committee chair, Senator Mary Ellen Edwards, asking for comments on these issues so these Log Items can be presented to you before the end of the term.
- **Tenure, Promotion and Renew Workshop.** The Senate will again be holding a tenure, promotion and renewal workshop; it will take place on March 31 from 2-5 pm. I invite your recommendations for those who might be interested in speaking at this seminar. If you know a faculty member in your department that has been through one of these processes and you think she/he would be a good representative to speak to faculty looking to go through the process in the future, please let me know.
- **The Constitution and Rules Committee.** The Constitution and Rules Committee is looking into the UCAP election process and the issue of continuity in the Faculty Senate Executive Committee membership. John Barrett, committee chair, will be meeting with the FSEC this Thursday, March 2, at our regular meeting.
- **Faculty Senate Elections.** As you know, we have just completed the nomination ballots for faculty members in preparation for the final election ballots. I don't think I have to work hard to convince anyone that next year's Faculty Senate is going to be faced with one of the most important times regarding faculty governance in the recent past of this university. If you have the

opportunity to encourage someone who has been nominated and would be appropriately dedicated to that task, please do so. These elections are very important.

- **Board of Trustees Report.** On February 22, I gave a report to the Board of Trustees which again talked about the importance of the role of our Board being involved in the negotiation of the new university president's contract. I also made a few comments on shared governance and its role when looking to the future.
- **UT/MUO Joint Faculty Synergies Committee.** The first meeting of the UT/MUO joint synergy committee was held on Tuesday, February 21. The committee will meet again two weeks from today. There are five members and five alternates from UT included on the committee and they talked about a charge for its five subcommittees. I have given you the topics and membership of each of those five subcommittees. You can send your suggestions directly to the co-chairs and me. There were many issues we talked about, including operating in a timely fashion, and the role the committees will play in the overall process, for example. The subcommittee for college alignment will not make a decision for Health and Human Services, of course, but this committee will state some principles related to decisions about the alignment of the College of Health and Human Services. So, it is not so much that decisions will be made but rather making sure the prerogatives of the faculty are protected.

After a couple of requests, I still do not have a list of all of the members of the University Merger Committee. The Executive Steering Committee still does not have a non-administrative faculty member from UT. The FSEC has spoken several times to the President about this and that UT must be represented on that group.

- **Ohio Senate Hearing:** On Tuesday, March 7, the Ohio Senate will have a hearing on our merger bill. There will once again be a bus with UT and MUO individuals and other members of the Senate Executive Committee are invited to attend. There will be a lunch with legislators and then the hearing will be held. The bill is expected to pass within two weeks after that hearing. On March 31 Governor Taft will be signing the bill joining The University of Toledo with The Medical College of Ohio on the front lawn of the UT campus.
- **President Johnson at Faculty Senate.** The last visit to Faculty Senate by President Johnson as president of the University of Toledo will be March 28, so mark you calendars. I have also invited President Jacobs to speak to Senate before the end of the semester, but a meeting date has not been scheduled yet.

IV. Reports: Chair Jorgensen: Our first report is from Dr. Karen Rhoda, Director of Distance and eLearning.

Karen Rhoda, Director of Distance and eLearning: Thank you, Andy. I am very pleased to join you today to discuss Distance and eLearning and to give you some facts and figures from across the nation, Ohio and here at UT. I am also going to share with you the reasons why traditional age students have enrolled in distance and eLearning, not just here but across the nation. [PowerPoint Presentation]

Overview Across the Nation

- In 4 years span enrollment of students in DL courses increased 36% from 1998-2002.
- 2.6 million students are enrolled in DL courses in 2004
- Number of courses doubled between 1997-2000 from 47,500 to 118,000.
- 90% of courses are online and are asynchronous
- 85% of the 2+4 year institutions in the state (public institutions) are offering online courses today
- 65% of these institutions recognize online education as critical to their long-term strategy
- Online education is compared favorably with face-to-face instruction

Overview Across Ohio (based on 2005 OLN report) 45,000 online students more when including closed enrollment courses

- 49 colleges and universities are participating (courses listed in the Ohio Learning Network, Ohio Learn Catalog)
- 154 online degrees and certificates
- 3,200 courses posted in OhioLEARNS!
- Fall 2004, 37,421 students.
- 67% are women

At The University of Toledo there are more women than men enrolled in DL courses. This is easy to understand because women are multi-tasking, balancing home and work. Many of you already know that today for women, online education is termed the third shift, with home being first, and work the second shift.

- Over 50% are over the age of 25
- 51% in Ohio are full-time students online
- Predominantly web-based delivery of courses, some with synchronous chat rooms as required for that program.

The University of Toledo is profiled in a recent report from OLN. We are the largest deliver of online classes in Ohio and other universities are trying very hard to catch up with us. Among these are Wright State and The University of Cincinnati. Over 37,000 students are enrolled in distance learning classes in Ohio and when we add in the closed enrollment courses - and there are many of those in our own College of Education - the number increases to closer to 50,000.

DL at UT: CHALLENGES AND FIGURES FOR US TO CONSIDER

Policy for Developing/Teaching a DL Course

Faculty and instructors who teach face-to-face courses teach online courses

Exception:

- Courses taught from Ghana (Africana Studies)
- Course taught from China (Contemporary Chinese Culture)
- Two courses in Health Information Management (HIM) program taught by instructors who have the credentials needed for that program; however, the course content was designed by UT faculty.

The courses taught from Ghana and China are by individuals that were visiting scholars on our campus in the past. They went through training with our designers here at UT before they returned to their home countries. They offer curriculum which we feel enhances our students' learning experiences.

Results: Online course content is equivalent to face-to-face course content because the courses are developed and designed by you, the faculty, to ensure the students receive the interaction and instruction from you that they need and deserve. It is because of you that we can offer so many Distance Learning courses on our campus.

Distribution of Faculty and Instructors Teaching Distance Learning Courses (web assisted courses are not included)

Assistant Professor	41	21%	Professor Emeritus	1	1%
Associate Professor	47	24%	Senior Lecturer	3	2%
Instructor	10	5%	Visiting Assistant Prof.	8	4%
Lecturer	15	8%	Visiting Instructor	1	1%
Part-Time Faculty	33	17%			
Professor	38	19%	Total	197	100%

Online Courses and Degrees:

- Offer flexibility
- Offer convenience
- Increase the number of courses per term and can thereby improve the graduation rate at UT.
- Attract traditional and nontraditional age students

Definitions

Distance learning (DL) courses: In a distance learning course the student and instructor are separated by distance and connected via technology (web, CD-ROM, ISDN lines, IP Video) for at least 70% of the course content and course interaction. WebCT and Respondus are utilized for DL courses at UT.

Over 11,125 individual students in 16,868 courses are enrolled for academic year 2005-2006. In Spring 2006 there are over 4,450 students in over 6,500 course enrollments.

Senator Lipman: Are these students counted in our university aggregate enrollment? When one sees the decline in enrollment, it doesn't seem to reflect the kind of numbers you are giving us.

Dr. Rhoda: The percentage in Distance Learning enrollment has increased each year. It went up 17.7% this year and 15% each of the two previous years and this is counted in the aggregate enrollment.

Web assisted (WA) Course: A web assisted course is taught in the traditional (face-to-face) classroom setting and utilizes the web to enhance delivery of the course content. The enrollment in web assisted courses has increased at The University of Toledo. We know that there are other web assisted courses out there across the university, and this is only what we are counting in Distance and eLearning.

There are over 19,000 students in over 34,000 course enrollments for the 2005-2006 academic year. In spring 2006 there are over 8,700 individual students enrolled in over 15,600 course enrollments.

Undergraduate & Graduate Programs Online Programs and Degrees include:

- Associate's degrees in Accounting Technology, Business, Management Technology, computer Software Specialist, Information Services and Support, Marketing & Sales Technology, Programming and Software Development, and Technical Studies.
- B.A. in Liberal Studies. It is now partnered as a 2+2 degree with Columbus State Community College. We expect to partner this program with additional community colleges.
- B.S. in Health Information Management (degree completion program). This 2+2 program is made possible with a grant from the Ohio Learning Network obtained about three years ago. It is partnered with nine community college partners across the state.
- CSET Program (Computer Science and Engineering Technology degree completion). This program is partnered with 13 community colleges across the state. The College of Engineering found that we could not get students to come to UT once they had finished their Associate's Degrees at their community college, so the CSET program was developed to fit their work and home schedules. This allowed them to complete a baccalaureate degree. We are now attracting many students in the same manner in the Health Information Management program.
- Masters in Liberal Studies
- M.S. in Engineering
- Several Certificate Programs

Advantages of Teaching a DL or WA course supported by Distance & eLearning

- Faculty support and training (individual or group)
- Student Services on a regular and ongoing basis. This includes the eWriting Center.
- Student Technical support 7 days/week

- Course assessment tools. We prefer that faculty use their own departmental tool but adapt it to the online arena, and we will tabulate those results and send the results to the department chair as requested.
- Marketing - Our catalogs are sent to libraries across Ohio. We receive inquiries about courses and degree programs well beyond Ohio because of our UT website.
- Distance eLearning and OLN websites catalog. As mentioned previously, this catalog contains more than 3,200 courses, and we are by far the largest provider of courses among the four year institutions in the catalog.
- HEI tracking
- Secure web site: only registered students have access
- Compliance with the TEACH Act; fair use applies
- Students may review and revisit the course content multiple times
- Limitless availability to web resources
- Posting lectures, PowerPoint, graphs
- Chat room discussions
 - Synchronous
 - Asynchronous
- Flexibility for students
- Thoughtful researched responses from students
- Student discussions can be archived

Operation of Distance & eLearning Reports are given to the Senior Vice Provost

- Distance and eLearning is base budgeted
- 20% of the net profit for each college's DL course is returned to the partnering college
- Distance & eLearning will return approximately \$400,000 to the Colleges for 2005-2006; the remainder goes into the General Fund
- Faculty own their course content in Distance Learning courses
- Courses developed by visitors or part-timers are owned by the department
- FTEs & headcount go to the partnering college
- NCA Higher Learning Commission Accreditation OLN Best Practices designation in Student Services.

Dr. Rhoda: We have a Distance Learning and Instruction Advisory Committee in place to provide governance, guidance and to addresses issues and concerns among the colleges and faculty. This committee tries to meet monthly, although sometimes that does not happen because of scheduling conflicts.

Reasons why today's college students enroll in DL

- Born in the years following the introduction of the PC
- 20% began using computers between ages 5 and 8
- Virtually all were using computers by age 16-18
- 84% own their own computer; many own two
- Students today spend 11 hours per week online
- Technology is an assumed part of life (multi-tasking in terms of technology)
- Internet is better than TV
- Multitasking is a way of life
- Typing is preferred to handwriting
- Zero tolerance for delay-customer service

The Challenge:

- We need to recognize the impact of this change on the way education is delivered
- We need to realize the potential for Ohio citizens
- Ohio ranks 30th among states for DHS students who attend college and 40th for completion of bachelor's degrees in 25+ population
- To use this tool to compete in today's world?
- To use technology to build our economy and society.

Questions/Comments

Senator Pope: I am teaching two Distance Learning classes this semester with a total of 120 students. I have found the technical training and the technical support you give to be very good, but what I have found lacking is training the pedagogy of teaching online. I have picked up a few tips from your technical people, but basically I am winging it. I would like to see some more in-debt training on how one exactly teaches online.

Secondly, one of the reasons students take these courses is so they don't have to go to class. That has been a nuisance to me since the first session I opened was filled immediately with on campus students. I had to wait and open a second session for the students that really needed the course. In my view, there has to be a way to keep out students that just don't want to come to class. I also find these students complain a lot and sit in labs together working on things like quizzes. If we are going to have DL classes, they should be directed to students that really need them as DL and not just students that don't want to get up in the morning.

Dr. Rhoda: One thing that we see going on is that the non-traditional students are registering later than the traditional ones. There are many distance learning courses that are filled in the first day or so that registration is available, so the seats are not available to other students. If you would like to hold seats for certain students, that is something we can discuss. We can cut back the enrollment by whatever that number might be, but you would have to communicate to your students and us, so they can register later and still get a seat. We do that with some of the College of Education courses so it is possible.

In terms of support, your instruction designer should be providing you with some research to look at in terms of how to teach online. If you need more information, I would like to know that. In the past we have put together sessions for faculty, such as brown bag lunches and I think that is something Bernie Bopp and I can talk about in the future for faculty.

Senator Pope: When I asked for literature on DL courses, I was told by your designer there wasn't any.

Dr. Rhoda: Oh, but there is much literature. I will find out more about that.

Senator Bowyer: My concern with students taking DL classes is in the exam situation. In my department we have instituted on campus test taking for DL students. If the student truly is in a location too far from campus, arrangements can be made for them to take a supervised test at the library or someplace, so you don't have the issue of groups of students taking together. Do you know what percentage of the courses have exams given with some sort of security measure? Proctored, or where an ID is checked. I hear students talking about not being exactly honest when taking tests.

Senator Thompson-Casado: I have heard students talking in the hall by the elevator in U Hall about taking an exam together.

Dr. Rhoda: We can arrange proctoring either here or elsewhere. We have exams proctored in distant locations and at other institutions with faculty approval. We can also do testing by paper or pencil, if that is how you want it done.

Mark Yeary, Distance and eLearning Asst. Director of Network Support: Faculty can ask for a proctor. One way to address cheating is to create a pool of questions from which each a sampling is drawn for completion of an exam. I encourage you to do something like that, or even ask for ID from students.

Senator Niamat: Do the colleges lose revenue when students that normally take face to face campus classes migrate to DL classes? You have a slide in your hand-out which has been distributed to the Senators today that shows 20% of the net profit as being returned to each college, but I see it is not included in today's presentation.

Dr. Rhoda: The colleges get credit no matter if the student takes DL classes or face-to-face classes. I did edit the presentation slightly due to the budgetary reductions we have this year. Colleges still get approximately a 20% return.

Senator Pope: Just for the record, one of the things my students dislike the most about DL courses is that it is too hard to cheat. I have a proctored final; all of the other quizzes are online.

Senator Fridman: I would like to add that one thing that might work is a supervised final exam when the grade of the exam is 40% or 50% of the final grade. If students are cheating on tests during the semester, it will show up on the final exam and will be reflected in their grades.

Senator Lipman: Are TAs (teaching assistants) involved in the delivery of online instruction, and if so, can you elaborate on that?

Dr. Rhoda: Yes, in some courses. When the enrollment is high enough that it is helpful to the faculty member, they are involved in things such as grading and discussions. The department chair would have to approve that.

Senator Lipman: Have we developed any low residency programs that combine web assisted or online instruction with short course residency instruction on campus? I realize this might not be exactly your area, but there are so many areas out there that have developed that model.

Dr. Rhoda: The College of Education used DL courses a lot of times for their shortened sessions.

Senator Lipman: Do the visiting professors who teach in this own the contents?

Dr. Rhoda: No, that is owned by the department. The same is true for the part-time instructors.

Senator Piazza: I wonder if you could address the money being returned to colleges and departments. We had heard this was being discontinued.

Dr. Rhoda: It is going to be continuing, and in HHS you need to talk to your dean about that.

Chair Jorgensen: Does that vary by college?

Dr. Rhoda: No, it does not vary by college but by the number of courses that are offered in each college.

Senator Hoover: Do you have measures that evaluate the quality of the class taught online vs. standard in the class and measures the learning outcomes of online classes? Do you have any quality controls?

Dr. Rhoda: It is the faculty that are designing the courses and courses are evaluated as indicated by the faculty or chair asking that they be evaluated. Some of these faculty, I know, are attaching their own evaluation and having it returned independently from what we do.

Senator Hoover: Are there any measures that say a course offered online meets, is equal to, exceeds or is less than a face-to-face course?

Dr. Rhoda: Yes, there are. The College of Pharmacy evaluated a course that was taught face-to-face and also online and found the learning outcomes were similar. We did that with a math course and found that the retention was actually better for the online course. Nationally, retention is lower in the community colleges and higher in the four year colleges. An important determinant the faculty member teaching the course. For us that is a factor because it is our faculty who are teaching DL courses. In other institutions, this may not be the case.

Dr. Carol Nelson-Burns, Interim Director, Writing Center: Those of us in the Writing Center would encourage you to do online writing. I would encourage and allow colleagues to be added in our online classes so they can see what goes on there and what it is all about.

Senator Barrett: I understand there is a need for distance learning and there are people in remote locations or that have special needs, and I have no doubt that certain classes like a lecture can be highly effective when delivered this way. I think you can also work around any problems there may be with giving exams. I do think, though, that a quality higher education experience involves a certain amount of real time interactive learning with an expert in the field, a professor. I worry that the

technology currently limits the ability to effectively monitor a whole classroom. The camera can focus on an individual or two, but you can't see the rest of the room. If you have a teaching methodology that is geared toward interaction, I worry about the technology. Can you address that?

My other comment is, long term if we really embrace this as being as good as the classroom experience, I do not see how our brand is going to compete with the Ohio States of the world. Maybe we should not worry about that. If anyone can just log on to the computer and pick the school he or she wants to get a degree from, anywhere in the world, I do think that is something we should think about.

Dr. Rhoda: In terms of technology, most of our courses that are online are not actually using video taping. The courses are developed for online delivery and to maximize the learning experience. Online interaction between faculty and students can be very effective. If you want to deliver some lecture materials and have it video taped and delivered to the student, we can do that. It depends on what your course content is and how you want to present it to the students. It is a matter of working through the delivery processes and making sure the students have an enhanced learning experience.

Senator Teclhaimanot: Do you have a plan to make Podcasting available on DL?

Dr. Rhoda: Yes, I think there is a way we can offer some of the material online. I see Apple is offering a free seminar on March 15.

Senator Pope: A bigger threat may be the proprietary schools. Right now the Higher Education Act mandates half of a school's offerings have to be in bricks and mortar classroom. That act is now up for renewal, and there is heavy lobbying to have that restriction removed, and they have lots of money to put into the PACs. They also can teach those courses a lot cheaper than we can.

Dr. Rhoda: The for profit institutions hire instructors who work all day at some other career and this cannot be construed as the same as faculty that are involved in research at an institution like ours. Students have come here from there and tell us it is not the just the courses but services once they are enrolled, that are not really where they should be, especially with the costs that are being charged.

Senator Bowyer: What percentage of students are currently enrolled taking classes on campus? In other words, how many are true DL students?

Dr. Rhoda: About 70% of students enrolled in distance learning courses are taking face-to-face courses.

V. Calendar Questions: Log Item 0506-07 Review policies & grievance procedures and investigate how to communicate to students their rights on campus.

Chair Jorgensen: Martin Ritchie, Chair of our Student Affairs Committee, is going to speak on a Log item issue that came in related to a topic from the State Legislature.

Senator Martin Ritchie, Chair, FS Student Affairs Committee: The Faculty Senate Student Affairs Committee was charged with a review of our policies in response to State Senate Bill 24. This bill was brought before the Senate January 26, 2005 and assigned to committee, and is still sitting in committee. A summary of the bill is below:

EXPLANATION OF THE ISSUE:

On January 26, 2005, Senators Mumper, Jordan, Cates, and Wachtmann introduced S.B. 24 "Academic Bill of Rights" which proposes that colleges and universities in Ohio must adopt a policy outlining an academic bill of rights. The policy must address: (1) providing a learning environment offering a broad range of scholarly opinion including dissenting views; (2) faculty will not indoctrinate students nor discriminate against students in regards to political, ideological, or religious beliefs; (3) faculty will not introduce controversial matter into classes that has no relation to their subject of study; (4) institution will not infringe on students' or student organizations' freedom of speech; (5) institution will remain neutral with respect to political and religious disagreements, differences, and opinions and distribute funds collected from student fees accordingly; (6) faculty will encourage intellectual honesty, civil debate, and the critical analysis of ideas in the pursuit of knowledge and truth; (7) faculty members will not be discriminated against due to their political,

ideological, or religious beliefs in terms of hiring, termination, promotion, and tenure and, (8) in terms of being appointed to tenure, search, and hiring committees; (9) the institution and its professional associations will be neutral with respect to substantive disagreements that divide researchers. In addition, each institution must adopt a grievance procedure by which students or faculty might seek redress for alleged violations of these rights and must provide students and faculty with notice of both the rights and the grievance procedure by publishing them in the institution's course catalog and student handbook and posting them on the institution's website. Currently S.B.24 is in the Senate Education Committee and has had two hearings. It has not yet been voted out of committee for a floor vote.

On October 11, 2005, the Inter-University Council of Ohio passed two resolutions recommending that universities adopt policies reflecting academic rights and responsibilities and provide a multi-faceted approach to communicating these policies to faculty and students including:

- Face-to-face communication through orientation programs and courses, residence hall floor meetings, programs and activities, advisory meetings, etc.
- Hard-copy communication through mailings, student handbooks, catalogs, course schedules and related publications.
- Electronic communication through general and dedicated websites and email listservs.

Faculty Senate referred the matter to the Student Affairs Committee. The Committee chairperson consulted with Vice Provost Bresnahan, who provided further background to the issue and proposed policies. The Committee reviewed S.B.24, the IUC Resolutions, UT's Student Handbook, and General Catalog to determine what, if any, language to recommend inserting in the documents and procedures and how to disseminate the documents to demonstrate compliance with the policies. The initial draft of recommendations was circulated to all members of the Student Affairs Committee for comment. A second meeting was held to discuss further amendments to recommendations. The Committee voted to support the recommendations; therefore, there is no minority report.

RECOMMENDATIONS:

The University of Toledo-AAUP contract, Article 5.0, *Faculty Rights and Responsibilities* addresses academic freedom and responsibilities and states that faculty must "be careful not to introduce into their teaching controversial matter which has no relation to their subject" (Article 5.1.2, p. 5). Article 5.1.4 states that "No library materials shall be proscribed or removed from the libraries because of partisan or doctrinal disapproval" (p. 5). And Article 3.0 *Non-Discrimination* clearly states that the Employer shall not discriminate on the basis of religion, political affiliation, or other characteristics protected by Federal or Ohio Law. The Committee believes that these Articles directly address the issues of faculty academic freedoms and responsibilities outlined in S.B.24 and the IUP resolutions and recommends no changes to the wording in the University of Toledo-AAUP contract.

The Committee reviewed the UT Student Handbook and General Catalog. The Student Handbook includes the Board of Trustees Approved Policies Pertaining to Students. Section 1 is the Joint Statement on Rights and Freedoms of Students. The Committee believes this section generally addresses the issues in S.B.24, however, we felt that if we included specific wording from the Bill it would strengthen the section. Therefore, we are recommending the following addition (in red and parentheses) to Subsection C:

The professor in the classroom and in conference should encourage free discussion, inquiry and expression. Student performance should be evaluated solely on an academic basis, not on ***personal*** opinions, ***political, ideological, or religious beliefs***, or conduct in matters unrelated to academic standards. [proposed additional wording in bold italics]

S.B.24 requires a published grievance procedure. Both the Student Handbook and the General Catalog include the Academic Grievance Procedure. After review, the Committee believes the procedure adequately addresses the issues in S.B.24 and the IUC Resolution; therefore, no changes are being recommended.

S.B.24 calls for the policies and grievance procedure to be published in both the Student Handbook and in the Catalog. The grievance procedure appears in both documents but the Joint Statement on Rights and Freedoms of Students only appears in the Student Handbook. Therefore, we are recommending that it be included in the General Catalog to be added on the Website version immediately and to be included in the next printed version.

In order to meet the requirements for dissemination of these policies and procedures to students and faculty in accordance with S.B.24 and the IUC Resolution, the Committee recommends that the Joint Statement on Rights and Freedoms of Students and the Academic Grievance Policy be communicated:

- Face-to-face through the University first year orientation courses, residence hall meetings, and student government meetings.
- Hard-copy through the Student Handbook and General Catalog.
- Electronically by linking the Student Handbook and General Catalog to the University website, providing a notice and link on the Web Portal for students, and by emailing them to all students.

To inform all faculty members, including adjunct and part-time faculty members, the Committee recommends that they be informed of the *Joint Statement on Rights and Freedoms of Students*, the *Academic Grievance Policy*, and the sections of the UT-AAUP Collective Bargaining Agreement on *Faculty Rights and Responsibilities*, and *Non-Discrimination*:

- Face-to-face through Departmental and College meetings, and Faculty Senate.
- Hard-copy through the UT-AAUP Collective Bargaining Agreement and the General Catalog.
- Electronically by linking the Student Handbook, General Catalog, and the UT-AAUP Collective Bargaining Agreement to the University web site, providing a notice and link on the Web Portal for faculty, and by emailing faculty members through UT Daily news.

MOTION:

Whereas, Senate Bill 24 “Academic Bill of Rights” proposes that colleges and universities in Ohio must adopt a policy outlining an academic bill of rights; and,

Whereas, the Inter-University Council of Ohio passed two resolutions recommending that universities adopt policies reflecting academic rights and responsibilities and provide a multi-faceted approach to communicating these policies to faculty and students; and,

Whereas, the Faculty Senate Student Affairs Committee has reviewed current policies and procedures in the University of Toledo-AAUP contract, the UT Student Handbook and the UT General Catalog and arrived at recommendations to meet the requirements of proposed S.B. 24 and the Inter-University Council of Ohio resolutions;

Therefore, it is moved that the following changes be included in the UT Student Handbook, Section 1 Joint Statement on Rights and Freedoms of Students, Subsection C. (pp. 11-12):

The professor in the classroom and in conference should encourage free discussion, inquiry and expression. Student performance should be evaluated solely on an academic basis, not on *personal* opinions, *political, ideological, or religious beliefs*, or conduct in matters unrelated to academic standards. [proposed additional wording in bold italics]

And, that it Section 1 of the Student Handbook be included in the General Catalog to be added on the Website version immediately and to be included in the next printed version;

And, that this policy be communicated to all University of Toledo students via:

- Face-to-face through the University first year orientation courses, residence hall meetings, and student government meetings.
- Hard-copy through the Student Handbook and General Catalog.
- Electronically by linking the Student Handbook and General Catalog to the University web site, providing a notice and link on the Web Portal for students, and by emailing them to all students.

And, that all faculty members, including adjunct and part-time faculty members be informed of the *Joint Statement on Rights and Freedoms of Students*, the *Academic Grievance Policy*, and the sections of the UT-AAUP Collective Bargaining Agreement on *Faculty Rights and Responsibilities*, and *Non-Discrimination* via:

- Face-to-face through Departmental and College meetings, and Faculty Senate.
- Hard-copy through the UT-AAUP Collective Bargaining Agreement and the General Catalog.
- Electronically by linking the Student Handbook, General Catalog, and the UT-AAUP Collective Bargaining Agreement to the University web site, providing a notice and link on the Web Portal for faculty, and by emailing faculty members through UT Daily news.

SUPPORTED BY:

Martin Ritchie, William Hoover, Kathleen Fitzpatrick, Robert Schultz, Alison Spongberg

Chair Jorgensen: This is a motion from the committee and needs no second. This is a response to a proposed Senate bill. The Inter University Council has proposed this means for doing so.

Questions/Comments

Senator Barrett: If I understand this correctly, according to the Student Bill of Rights, in a Biology class you could ask the question: According to Darwin; how has man arrives here? And then you could grade somebody for not stating Darwin's theory correctly. However, if you just ask: "How has man gotten here?" in a more open-ended way, and if someone wrote a religious, biblical answer, a creationist answer, instead of a Darwin-type answer, you could not hold that against them; or could you? I'm wondering because you are then grading them on a solely religious belief, aren't you?

Senator Ritchie: I can't answer that. I don't think that is the intent of the wording in the student handbook. We can always come up with strange cases. When hearings were held on the bill, they actually interviewed people from certain clubs on certain campuses to try to solicit examples of students that have been discriminated against by faculty. When questions were asked, it was found there was really no discrimination. I don't see anything as extreme as that.

Senator Wolff: I have a question on the part about personal opinion. Whose personal opinion is that?

Senator Ritchie: A personal opinion would be if someone were to write an answer that is religious or political belief, and you did not believe the same, and therefore marked their grade down. That is not academic; that is personal.

Senator Edwards: I teach courses on traditional, Islamic education and Buddhist education and I get script answers from the students on these things. I am concerned about the infringement on a faculty member's jurisdiction over his/her instructional material.

Senator Ritchie: First of all, I am not defending SB 24. I am trying to help the university so SB 24 is not rammed down our throats.

Senator Edwards: By leaving this the way it is, students can't come and say: "You can't discriminate against me because of my religious beliefs, I put my religious beliefs in my answers and you can't discriminate against me."

Senator Ritchie: My understanding is that, that is not how the problem is perceived. The problem is perceived as us [faculty] ramming our political views down the students' throat.

Senator Olson: In my opinion, the bad part about the way this is stated is that we are trying to address a problem based on politics, religion and ideology. But when we make this statement, it is a global statement that applies to everybody. As you mentioned, as Senator Barrett mentioned, if you ask a question and a student responds in the manner you suggested, or the professor writes a question in the manner you suggested, both are definite violations of this particular statement if you consider it in the wrong way. The wrong way may be the right answer to the question.

Senator Ritchie: Before we added the words, the handbook said, "student performance to be evaluated solely on academic basis not on opinions."

Senator Olson: I understand what you are saying - that we want to evaluate students objectively, not subjectively - although anytime you evaluate an essay it is subjective.

Senator Piazza: The first part of the sentence makes sense, but I am not sure what the second part is talking about. Are you talking about the professor's personal opinion etc. or the student's?

Personally, I try not to evaluate my students on my personal beliefs. On the other hand you have students that respond to test items from their political and religious views without any reference to the course content whatsoever; then I feel it is within my right to say: "I am sorry but based on the message of the program, that is wrong"

Senator Ritchie: Now you are judging on academic basis because you said it represented evidence.

Senator Bowyer: In my opinion, you could delete everything after "academic basis" and say: "based solely on an academic basis," period. In other words take the whole last part of the sentence out and just say it's based on academic standards. I ask questions - and I do this sometimes in business classes - that deal with conservative vs. liberal economic policy. I don't care whether the students are conservative or liberal, I care that they have an answer to the question. Now what they answer, but how they analyze the question. I'm not sure we need the clause after "on academic basis," but I don't have any problems with it.

Senator Ritchie: I don't think we needed any of this but based on Carol Bresnahan's correspondence that we didn't need it here, they didn't seem to agree with that.

Senator Schultz: This is a difficult topic, so the only choice we have is to try to find as few words as possible to address the issues effectively, but not change the root meaning in any substantial way.

Senator Barrett: I think we agree with the spirit of what is being said, which is that you should grade people on their performance, not on what you personally believe. That is how I try to teach and I assume the rest of us teach. I think this is a dangerous phraseology... at a certain level because it is subject to going beyond the spirit of what is intended. I also do not think we have a choice because I think if we don't do this, things are going to get considerably worse.

Senator Hoover: As a member of the committee, I would like to say that we are not trying to change anything at all. We are trying to complement something that already exists in our policy and to counteract state legislators who are trying to say what we do in our classroom. We think it is much better for us to make some very minor wording changes. We feel these few words added will satisfy the need and get us around the problem.

Senator Wolff: Who is they?

Senator Ritchie: Wasn't there a correspondence, Senator Bresnahan, that required that we provide further evidence that we were complying?

Senator Bresnahan: You must realize that this came out of a nationwide movement and a statement by Dave Horowitz, who was convinced that universities are un-free places that persecute conservative students and give them a bad break. This was embraced by Senator Mumpers who said this bill is needed because it is well known that 8% of our university professors are socialist, liberals and communists, so therefore conservative students need protections.

There were actually hearings on this bill and my office was asked on a very short notice to provide to Senator Fedor's office a document explaining what we did to protect these students' speech. That was how this came to my radar screen less than a year ago. It came back to haunt us, not

in SB 24, because Inter University Council managed to reach a compromise, but the compromise said the campuses needed to go back and review their policies and make sure the students' rights were protected. I fully believe students' rights should be protected. I fully believe we are already protecting them. I also believe, as several of my colleagues have already said, it would be very wise for us to show that we have made a real effort to put in the formal process a way to be sure we are protecting students' rights.

Whether the Senate believes this language is the best or not is fine, but I am glad we are having this discussion because it is our duty to report back to the IUC that we have done what we have been asked to do and this will put an end to the controversy.

Senator Edwards: We need to stand up to some of these legislators and say: "You are not going to say how we are to run our classes." Our students are protected and I think we should leave it the way it is. I don't think you should specifically adopt language that is coming out of these bills.

Senator Bresnahan: I don't disagree with what you say. If that is the Senate's desire, that is fine with me, but we do need to decide what to do with this. Just the fact that we have reviewed our policies, and either we adopt this or some verbiage to say our policies are great and they don't need a single change, that is great, too. We do need to figure out how to deal with this challenge and so we do preserve academic freedom and do make sure academic standards are used when students are graded.

Chair Jorgensen: Senator Bresnahan, is this why we say we have federal laws against discrimination, then words are added to discrimination on gender, age, so this gives examples on ways that we don't discriminate. So that we are grading just based on academics. Just like we don't discriminate in hiring when we base the process on equality, we don't discriminate on various other things. Is this just showing an example? We aren't using any of these other things at all, just academic standards.

Senator Bresnahan: I guess it really reinforces our anti-discrimination statement, if you want to put it that way. This is more specifically aimed at protecting freedom of speech in the classroom and the perception that conservative students are always or often penalized.

Chair Jorgensen: The word seems to apply clearly to the students and student performance.

Senator Bresnahan: The language that you took is not the committee's language, this came out of suggested language that came from elsewhere but IUC.

Senator Bowyer: Call the question

Chair Jorgensen: The motion to call the question needs a 2/3 vote to end debate. *Passed* We shall immediately go to the vote. Those in favor of the document from the FS Student Affairs Committee as presented. 20 Aye 9 Nay *Motion passes.*

VI. Other Business:

Old Business: None

New Business: None

VII. Adjournment: Chair Jorgensen adjourned the meeting at 4:50 p.m.

Respectfully submitted,

Steven J. Martin
FS Executive Secretary

Tape summary: Betsy Welsh
Faculty Senate Office Admin. Secretary