

THE UNIVERSITY OF TOLEDO
Minutes of the Faculty Senate Meeting of March 3, 2015
FACULTY SENATE

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

Approved @ FS meeting on 4/14/2015

Summary of Senate Business

Colleen Strayer, General Manager, Barnes & Noble at the University of Toledo

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

President Hoblet: I call this meeting to order. Welcome to the tenth Faculty Senate meeting of AY 2014-2015. **Lucy Duhon**, Executive Secretary, called the roll.

I. Roll Call: 2014-2015 Senators:

Present: Bailey, Barnes, Boardley, Brakel, Burnett, Caruso, Compora, Dowd, Duhon, Edinger, Edwards, Elmer, Federman, Franchetti, Gohara, Gray, Gunning, Giovannucci, Harmych, Hoblet, Humphrys, Keith, Kennedy, Kistner, Krantz, Lee, Lundquist, Malhotra, Monsos, Molitor, Ohlinger, Plenefisch, Porter, Prior, Relue, Rouillard, Sheldon, Springman, Srinivasan, A. Thompson, G. Thompson, Thompson-Casado, Van Hoy, Weck-Schwarz, Den White, Don White, Williams

Excused absences: Brickman, Burnett, Duggan, Hasaan-Elnaby, Nathan, Nigem, Teclehaimanot, Wedding

Unexcused absences: Black, Cappelletty, Crist, Denyer, Devabhaktuni, Farrell, McAfee, Quinlan, Quinn, Schafer, Skeel, Slantcheva-Durst

III. Approval of Minutes: Minutes from February 3, 2015 Faculty Senate meeting.

President Hoblet: Thank you, Senator Duhon for calling the roll. Did everyone receive the February 3, 2015 meeting Minutes? Do I have a motion to approve/edit? All in favor of approving the February 3, 2015 Faculty Senate meeting Minutes as distributed please signify by saying aye. Any opposed? Any objections? **Minutes are approved.**

Executive Committee Report: Welcome Senators and guests. The FSEC has been working on Presidential Search/Interviews/ Visits for the past two weeks since we met last. We had very informative luncheons with each of the candidates, two open forums with each of the candidates, two community receptions for each of the candidates, and other impromptu meetings that occurred as a result of a candidate presentation at one of these many events.

The Dean's evaluations have gone out to the appropriate colleges. I would urge you to encourage all faculty in your college to complete the evaluations. Mike Dowd and college contacts did an amazing job cleaning up the faculty lists. The accuracy of the faculty lists is essential as we begin the election process for Faculty Senate seats this spring.

I have asked the Committees on Constitution and Rules and Elections to call meetings to begin review of the Constitution and Rules. Constitution and Rules will need to meet to correct some of the language and recommend amendments to the appendices and to reflect our new structure. A resolution to begin the process for elections will be presented today.

FSEC has received notification that the March 9, 2015 BOT meetings will be abbreviated to allow the Board to go into Executive Session to discuss personnel matters. I have a notion that these matters have to do with the presidential search.

FSEC felt it was important to note the recent academic report of The University of Toledo student-athletes who earned a grade point average of 3.174 in the 2014 fall semester. It is the 12th consecutive semester in which UT student-athletes earned a combined GPA of 3.1 or higher. Additionally, 13 UT sports earned team GPAs of 3.0 or above as reported by Mike O'Brien, Vice-President and Athletic Director.

Individually, 32 student-athletes earned President's List honors with a perfect 4.0 GPA, while nearly 38 percent (144 of 380) earned a spot on the Dean's List by garnering at least a 3.50 GPA and more than 63 percent (241 of 380) achieved a 3.0 grade point average or better for the 2014 fall semester.

Women's soccer had the highest team GPA at 3.694 and the highest semester GPA ever recorded by a UT sport. Baseball had the highest GPA for a men's team with 3.421. Congratulations to our student-athletes for another outstanding semester in the classroom. Your hard work and commitment is to be commended. We recognize that faculty, coaches, academic and athletic department staff play a major role in supporting the pursuit of academic excellence by student-athletes.

Lastly, as we reach the midterm point in the spring semester we want you all to know that the Executive Committee continues to take their responsibilities seriously in this historic time at The University of Toledo. We will continue to ask questions on issues of importance. We need you to continue to communicate issues, concerns, and needs. Thank you.

Next, I would like to introduce Colleen Strayer, General Manager for Barnes and Noble at The University of Toledo. She is going to share processes. Several of you brought up concerns about Barnes and Noble and we want to make sure Faculty Senate can be a conduit to remedying some of the problems and issues that have occurred particularly around book ordering and book supply for our students.

Colleen Strayer, General Manager for Barnes and Noble: Thanks, President Hoblet. My name is Colleen Strayer and I am the general manager for the Barnes and Noble bookstore here on campus. With me is Marcia Stewart, my partner at Barnes and Noble; she is my regional manager who wanted to come to this meeting with me to discuss your concerns. We want to get your feedback today and to give you some information as well.

Marcia Stewart, Regional Manager for Barnes and Noble: First of all, thank you so much for giving us a small amount of your valuable time, we know how busy you are. If I may summarize, not to take away from the severity of your concerns, there appear to be three major issues that came up: (1) we ran out of text books (2) once we ran out, we did not order quickly or with expedited shipping (3) is there a set formula for the magic number that we come up with to decide how many books? Does that hit the

“meat” of your main concerns? Well, first, we owe you an apology for running out of any books because that is never our intent, at the end of the day we are a business; I want to be able to sell students’ their books and that’s my goal. Quite honestly, once we get into the phase of doing major reordering, that’s truly from a business perspective for our most expensive titles, we want to get the right number the first time. Just to share a stat with you because there were some concerns that we basically “ran out of everything”- in order to prepare to process returns we did an inventory and we are sitting on \$2.2 million in text books right now, so for some of you, we obviously grossly over-ordered. I just want to share with you that there is no “magic” formula to it. Much like it is for you when you are deciding how many students are going to be in your course, you are never quite sure what that number is and we are never quite sure how many students are going to purchase books today because they have so many other venues. We do utilize sales history and we hope to find some trending. If you’re interested, we did compare a document that shows you some of the steps that we go through to make those decisions, but it has always been a title by title decision. There are a lot of factors that go into play and now it is even tougher to do because there’s a lot more avenues for those students to buy. Quite honestly, we also have a lot more students that don’t purchase at all. We just did a quick “down and dirty” list of the factors that we go through to assure you that there is no set formula on how we make that buying decision. The other commitment that we want to make to you here is one of the factors that has impacted us the past few years, which is the local competitor; when you look at the history, that is a factor because some students buy their books from our competitor. In the last couple of years they really haven’t carried many text books so we started to buy more than the history dictated. At the end of Fall we had \$1.7 million and at the end of Spring we had \$2.2 million left. We are going to continue to grow those numbers, especially based on your concerns. Our goal from this point forward is to overbuy to try to buffer some of the concerns of us running out of text books. We will do some analysis of what we have left so we can show you how that experiment worked, so hopefully you will see a great improvement in the Fall. The other concern was that when we did place reorders, we were not expediting them. However, when we do place reorders we do expedite the shipping if the item cannot arrive within 24-48 hours. Many times with UPS, like when we’re ordering something from Kentucky, we can have it in 24-48 hours. When we order from California then we pay expedited shipping, and that amount is not passed on to the students so that is part of the reason reorders cost us so much. So again, from a business perspective, we truly don’t want to run out and we really don’t want to have to reorder. We would like for them to have the right number of books right from the beginning. We are going to try to do a better job of that for you. I hope that you have us back again and say “wow” we didn’t run out of anything. I’ve been at this since 1976 and if I was an expert at getting that “magical” mystical number, I would probably be a millionaire right now. So, if you have any specific concerns that were not in those emails that came out to campus I would love for you to email those to Colleen because that really does help us to drill down and say, “this is what we did wrong;” and if we made a mistake, we made a mistake, we are the first ones to own it. Some of you gave us good specifics about individual courses which gave me the opportunity to drill down into our system and find out what we did wrong and if it is something that was a human error or a misunderstanding of our process I can improve it. I hope that gives you a little more reassurance that Fall is going to be nicer and prettier for all of you and your students and I hope to hear some of that positive feedback coming back from this.

Colleen Strayer: If you want to take down my email address right now it is sm573@encollege.com

Marcia Stewart: Any questions that we can answer for you today while we are here?

Senator Barnes: One of my original questions was, will there be ways that we can share information with you? For example, enrollment in one of our classes that ran out of books was higher than usual and I don't know if you have that information, but I think it would be useful. I think what Colleen said before in an email was because one of our titles was recent and it was from an unusual publisher so it contributed to the difficulty in obtaining the book, it was more about the publisher. But what I was trying to get at is, is there anything we can share with you that will be helpful to you as you plan? I am assuming that there is some kind of ratio that you have to assume people are going to buy elsewhere, they can buy online etc.

Marcia Stewart: Well, there really isn't a ratio. I wish we could've pulled that up. There are lots of factors that go into it, such as what's the estimated enrollment if it changed and did the faculty number change (that can be a factor whether you sell differently)? We are constantly doing queries to get those enrollment numbers as they change; quite often they change very close to the course and you are reacting and then you run out before the next shipment comes in.

Senator Barnes: So you already have the enrollment?

Marcia Stewart: We are always watching that to see what it is doing. What the price of the book is because if the book is really a high-priced book then they are not going to buy as many unless they absolutely have to have it or they will try to find it online cheaper. If it is a package with a one-time component and they absolutely are going to use that component then obviously we have to make sure we cover that enrollment. If it's a custom and it's going to take time to put it together, you have to pad that because the publishers can't react quickly enough to be able to deal with the reorder. If there's a new edition of the book out and there are no used books out there, they are not going to find them on the internet. You see, there are a lot of variables involved. Part of the reason we have to go through that is, and for those of you who've been around as long as I have, you will remember when publishers used to fix the restocking fee and they did that 10% because they were upset with all the booksellers returning millions and millions of dollars' worth of books. Well, part of that agreement was that they would drop that restocking fee because that would just be raising the price of the book- if we would be diligent about really trying to come up with a number and if we didn't return any more than 30%. Right now for Spring we have about 45% of what we bought to return, so we didn't do such a great job from that end and we still ran out of some of your books. Again, there isn't a magic formula to it because there are so many variables, but you are trying to second-guess really what those variables are so that you are not returning \$5 million dollars in books as opposed to \$2.2 million.

President Hoblet: I have a question about a course. I run a course that's occurs each of the three semesters, so I would hope you are not returning any of those textbooks.

Colleen Strayer: We've already got you covered for that.

President Hoblet: Good, because that is my thing, why do we lose the books for courses that run all year long? We standardize our textbook; we use a textbook until the new printing comes out so I try not to change.

Marcia Stewart: That probably shows clearly in your history in our system too.

President Hoblet: So you review the history?

Marcia Stewart: Yes.

President Hoblet: Another issue I have is not receiving a desk copy. How do I assure that I get a desk copy of my textbook at least once a year?

Colleen Strayer: If you go on the bookstore website (you can reach from utoledo.edu) there is a notation at the upper right-hand corner which says "Faculty Resources." If you go to that, then you will be taken to FacultyEnlight® which is our site for ordering textbooks---

Marcia Stewart: A lot of you already use that.

Colleen Strayer: Yes, a lot of you already use that. We are one of the highest selling stores in the whole company for use of FacultyEnlight®, just so you will know, Toledo is a star in that. You can order a desk copy on there and it will prompt you. Once you start using it semester after semester, you can research your course history on there. You can also research the textbooks used for similar courses at other schools. There are a lot of helpful tools to be used on that website. Recently we made a swing through some of the college meetings in November and December talking about that because what we do find on Toledo's campus is that a lot of departments' admins are placing the orders and unfortunately then the faculty don't find out about all the great tools and resources available on FacultyEnlight® and that is what we started talking about: "hey, that is fine, you don't have to go on there and place an order, you can let your secretary do it if that's what you want, but go on there and use the information that is available to you."

Marcia Stewart: Especially, if you are trying to research what book to use, there is a lot of information on that. You can also write a review on your book so your peers at other schools can see how you felt about the title you used, it's a nice faculty resource piece.

Colleen Strayer: Let's go back to enrollment for a minute. We do get a direct enrollment feed from Terry Romer, the Registrar, and we can literally get that any time we need it to update our system. If it gets closer to the beginning of the term then we just go to the Registrars' site, at that point we are just looking at one individual class or another and we are not looking at 100 classes coming in and ordering their books. Further out, when it is like six weeks out or eight weeks out from the beginning of the semester, we are getting an enrollment feed and we do look at the history of the class and go back three semesters; we look at both Fall and Spring even though they are quite different animals as far as textbook sales. You will be surprised because in some cases there are patterns but not always, but if it is predictable, like they say "a monkey can do it."

Senator Dowd: I discovered last Spring that the price for a book that Barnes and Noble charges students is not related to the cost that Barnes and Noble actually pays for that book.

Marcia Stewart: Do you mean if there's a markup?

Senator Dowd: There is a markup, of course. But the markup is not related to the actual price Barnes and Noble paid for the textbooks. What do you think is a reasonable markup for a book? How about a 25% markup.

Marcia Stewart: It is in our contract that it should be 25%, so unless we made a human error---

Colleen Strayer: Or if it was a custom book.

Senator Dowd: How about a 229% markup on a textbook that cost Barnes and Noble approximately \$120? You decided to charge student approximately \$270 for that textbook. When I raised that issue I simply asked to have Barnes and Noble make restitution to the students because this was an error. So, Colleen, was restitution made to the students?

Colleen Strayer: We did ask for specific student names. We isolated seven cases---

Senator Dowd: But you would not speak to me about this issue. So I contacted the university's Office of Legal Affairs. You were contacted by the Office of Legal Affairs and, to my knowledge, you have not provided restitution to students.

Colleen Strayer: No, I didn't; I emailed you back---

Senator Dowd: Only after you were directed to do so. But that is not the central point. The important point is that restitution was not made to students who paid a 229% markup for the pleasure of dealing with Barnes and Noble? Is this an acceptable policy to your corporation?

Marcia Stewart: No, it was quite an exception; it was obviously a human error. My understanding was restitution was made to the students-- the students whose names we were able to contact. I have to be honest with you, if we're going to make that kind of mistake, then most students are going to go somewhere else to buy it. That's why getting the used rental out there and us being competitively priced help us. I would welcome any of you, if The University of Toledo wants to check that they have the right to audit; they just did it recently and checked our files and verified our pricing on the floor, they do it every year and they didn't find any errors. If a mistake happened with your course then we are truly sorry, that is not the norm.

Senator Dowd: This just wasn't "one course," this had a potential impact on approximately 2,000 students. We are not talking about pennies and nickels here.

Marcia Stewart: No, you are absolutely right.

Senator Dowd: Interim Provost Barrett, are you aware of any restitution made to students?

Interim Provost Barrett: No, but it wouldn't typically go through me.

Marcia Stewart: If we got the names, am I right with that?

Colleen Strayer: If we got the student names, we contacted them and made restitution. If I didn't receive the student's name, I can't make restitution. I identified seven transactions, which I sent that information to you.

Senator Dowd: Seven out of how many students? This is truly an outrage. The reaction that I received from you and your staff, and I will skip the long discussion here, was very unprofessional. For those textbooks, I negotiated the price directly with the publisher, like I have for the past 16 or so years. My actions have been consistent over the past 16 years. There was nothing new here. What was shocking was to learn that the price you charge students is not related to the cost that Barnes and Noble actually pays for textbooks. Colleen, you simply decided to charge students approximately \$270 for a textbook that cost you approximately \$120. This is disgraceful.

Marcia Stewart: It is not typically, unless there's an error. Again, every time we've been audited they never found an error, it is the University that audits us; our files are open files.

President Hoblet: Senator Dowd, when did this occur?

Senator Dowd: Spring of last year.

President Hoblet: Do we have the specific course numbers that it occurred in for spring 2014?

Senator Dowd: Econ 1200, Principles of Microeconomics, and I believe Econ 1150, Principles of Macroeconomics.

Marcia Stewart: The thing that I would like to globally say about that is that we've been on UT's campus for many, many years; we value the partnership and we value this contract so we will never knowingly deviate. We have a lot of checks and balances in our systems that are preprogrammed for those percentages, which is something else the university audits so -- a human error. To put it into perspective, how much money is that overall, that we would owe those students?

Senator Dowd: You say that is "human error," but this type of outrageous behavior has happened over and over again by Barnes and Noble every two to three years, and this is over a 16 year period.

Marcia Stewart: So this happened to you over and over again?

Senator Dowd: Not every year, but every two or three years something like this would occur at Barnes and Noble. Now, if it was human error then it was human error. But there is pattern, well established by the actions of Barnes and Noble. Thank you for your comments.

Marcia Stewart: Thank you. We will do a better job monitoring that. But I would also tell you, if anyone can get us a complete student list- that money in the grand scheme of things is what we do is very helpful to us. We would never want to put the contract in any kind of jeopardy---

Senator Dowd: What about the students? Don't they matter to you?

Marcia Stewart: We will be happy to repay any of those students that we duly owe the money to for that error.

Senator Molitor: If I may follow-up on this discussion. Don't your electronic records show who purchased those books at that price? Don't you know?

Marcia Stewart: Only if they paid by credit card and that is really all confidential because of PCI compliance so we don't have any access to those names at store level.

Colleen Strayer: We were able to pull-up and look at transactions where it happened.

Senator Molitor: So you know the number of transactions? Okay.

Marcia Stewart: But we can't tie in those students' names.

Senator Molitor: So you identified seven transactions?

Colleen Strayer: Yes, seven; and that is why I asked for a list.

President Hoblet: So we should be able to obtain a student list and contact from the Registrar office?

Marcia Stewart: I would welcome that if you can get that for us, we have absolutely no problem doing that.

Senator Dowd: Well, it would've been helpful if Colleen would have been willing to actually engage in a conversation with me about this issue. But she would not. Please check the email correspondence. Colleen refused to speak with me about this issue or about restitution to students. Instead, Colleen directed all of my inquiries to the Chief Operating Officer at the UT Foundation. My only recourse was to take this issue to the Office of Legal Affairs and specifically to the Vice President and General Counsel, Pete Papadimos. Once that occurred, all communication was between Legal Affairs and Barnes and Nobles, and I was out of the loop. If that communication stopped then it just stopped, and someone in Legal Affairs dropped the ball.

Colleen Strayer: Senator Dowd, I was the one who did all the research and I was the one who requested the students list.

President Hoblet: We will try to figure that out, Senator Dowd.

Marcia Stewart: If you can give us a list.

President Hoblet: We will see if we can get this expedited and get some names to you.

Marcia Stewart: That would be great. Are there any other questions or concerns? Well, thank you again. We know that this is not high on the list of things that you all have to deal with every day, but I appreciate your time. Hopefully, you will send us emails and say no issues for Fall -- that's our goal.

President Hoblet: Thank you.

Marcia Stewart: Thank you. And we will forward the documents that we were not able to pull up so you can share those.

President Hoblet: Thank you; if we can include those documents into the Minutes that would be helpful. At this time I would like to ask Senator Sharon Barnes, Chairperson for Committee on Undergraduate Curriculum, to come to the podium for a course approval report and action.

Senator Barnes: We have no modifications in the system that were approved up to this level. We had only one new course from Engineering, CIVE 2550, Sustainability Problem Solving, so I guess everybody was busy last month. CIVE 2550 is a required course for the new undergraduate Environmental Engineering program and we approved it at the committee level (it's a consent agenda item) so I am asking for a vote. Is there any discussion? All those in favor for approving CIVE 2550 say "aye." Any opposed? Any abstentions? ***Motion Passed. The Following course was approved: Engineering, CIVE 2550, Sustainability Problem Solving***

Next, we, the Committee on Undergrad Curriculum had two questions. One was, if you are proposing an Honors section of a course, does that go through the traditional typical course modification? Is it a new course or course modification?

Group of Senators: It is neither.

Senator Barnes: Does it have to be identified if they want a special number?

Senator Molitor: Is it a separate course number or is just a special section?

Group of Senators: It is a special section.

Senator Barnes: It's a special section of the same course so they don't have to go through the process at all?

Group of Senators: No.

Senator Barnes: I can't remember who asked, but now I know the answer to that. And then the second question, we had a meeting scheduled for May 1st, but Senate does not meet again after that, so we bumped our final meeting up two weeks and will be meeting April 3rd and April 17th, so depending on where your courses are in the approval process they won't go farther than Senate after the 17th of April. Thank you.

President Hoblet: Thank you, Senator Barnes. Next, I would ask that Senator Humphrys, Chairperson of Core Curriculum, come and provide an update on General Education and the Ohio Transfer Module.

Senator Humphrys: We, the Core Curriculum Committee are going to be submitting to all of you via email (probably tomorrow) a document that we would like you to consider. We are not asking for anything to be voted on today. The documents are going to have two parts to it. The first part of it you are going to see a lot of the information we can use in the future for catalog and website purposes, as well as it deals with assessment. If any of you ever attempted to find out information about the core curriculum on the UT website, you will find there are pieces of information,--not that the information is necessarily incorrect-- but it's like a "treasure hunt" to try to actually find what you need in a complete list. So we are on a mission to make sure that all of the information is inclusive. Whatever we have to do to get this website, as it relates to core curriculum, cleaned up we are going to do. Also, the second part of that document will be a proposal and the proposal is for process to bring us into compliance with Ohio's general education guidelines. We've gone through, and you all have been very patient, a lot of changes in terms of what we thought was supposed to be the guideline for State compliance only to find out otherwise. It's been years trying to clean this up. At the Ohio Faculty Council, Paula Compton came to speak with us and I think a lot of the questions that we had were answered. Some think we might actually get to a point where we can do something that is more definitive than we've ever done previously. It's not going to be the moment we vote in favor of this proposal then the next day "everything is going to change;" we are going to put a process into place because we realize that this could cause a lot of angst, especially among the advisors. When you receive this proposal, what we will be asking for is you to take a look at it. We will be asking for you to vote on the proposal proportion sometime in the future.

I want to mention a few things so when you look at this you will have a little bit of a background. The information in the first part deals with things like, what does the core curriculum consist of? And it also deals with putting together some of the things that we discussed in the past. For example as you recall, we went through a phase of competency-based curriculum and now we're changing that to learning outcomes, so you will see that. These are all things that have been voted on and have been in existence. So the first part you really can just read through. And these are existing documents; we didn't start from scratch or have made major changes. These are documents that you could find somewhere on the web.

Also, we have required that the two courses in Social Sciences, Humanities and Natural Sciences come from two different disciplines. That is not an Ohio rule--that is a University of Toledo rule. The State says if you want to take two part courses from the same discipline you can. That is something we may want to revisit to ensure that is what we want to continue to do. Then there will be some terminology things, "multicultural" versus "diversity." If you look at the history of the documentation that's been approved by Faculty Senate, the term multicultural really doesn't appear, it is diversity. But often times you will see on our website we reference U.S. diversity and non-U.S. diversity as "multicultural." So those types of things we want to make sure we have in place and that we can be definitive about terms, definitions, and guidelines.

I want to acknowledge Scott Molitor for all the work he put into the document. The proposal will be in your email, and we will be discussing it at a future meeting. Are there any questions?

Senator Edwards: Will you have some material on the process and the materials that need to be in place to get a course approved through the core with the learning outcomes and which section it's going to be?

Senator Humphrys: I am glad you asked that because what you will be getting tomorrow is a little bit more of a condensed version and there are lots of other sorts of guidelines and process that we need to review and/or put into place.. With the help of the Provost's Office, we have made great strides in the area of assessment of general education courses . Our proposal addresses the assessment process and how the assessment process will continue in the future. Maybe some of you been asked to participate in the assessment process, if you teach or your department houses a general education course. We will get into specifics.

Senator Edwards: One of the issues particularly in disciplines like history, sometimes it will be social sciences and sometimes it will be humanities- we need some clarification as to which section you would like us to put it in.

Senator Humphrys: That is one of the things that is interesting because the State looks at history as a social science and we've always looked at history as a humanities. So there are other things like that we will need to clear up because when history is approved by the State to be in our Ohio Transfer Module they're going to put it into social sciences, whereas we have always put it in humanities. Are there any other questions?

Senator Molitor: Just one comment based on your discussion earlier about our inability to find a coherent set of materials describing the core curriculum. I would like to propose that we attach a request to the provost to create a website, www.utoledo.edu/core. This website will have all of the documents that Faculty Senate approves and the provost will gather. Anywhere else on the university website that mentions the core curriculum will be routed to that website.

Senator Humphrys: That is a great idea, absolutely. Thank you.

President Hoblet: Next, I ask that Senator Dowd come to the podium to discuss a resolution to apportion representation on Faculty Senate for the library and the portal colleges. After Senator Dowd has finished with the resolution he will present an update on the dean's evaluations.

Senator Dowd: A version of the resolution was distributed by Executive Secretary Duhon. I would like to give a little background on this issue before we actually get to the resolution. Back in 2011, the library was made part of COIL, the College of Innovative Learning. In that process the Libraries lost college status. Some time passed and then COIL was no longer a college. As Senators know, former President Jacobs seemingly had a passion for "making" and then "un-making" colleges. To further complicate matters, over the past few years the previous administration added colleges such as the College of Lifelong Learning and You College, and the Honors Program was elevated to college status. One of the complications for Senate was that some of these colleges did not have faculty members. Truth is that since 2011 Senate has not followed the constitution in the sense that every college and the library should have two representatives on Senate. In some cases that was "understandable" for colleges without faculty

members. But for other colleges, such as the Libraries or Honors, Senate has failed to address this representation issue. Today, we need to take the first step in addressing this issue.

The proposed resolution first attempts to settle the issue of representation for the library faculty, with instructions that when the Faculty Senate constitution is subsequently revised that representation issue be incorporated into the constitution along with all other proposed revisions. The proposed resolution also has a “therefore be resolved” clause addressing for this year only the issue of how Senate deals with the Honors College and the College of Lifelong Learning.

For full disclosure, it was only last week that President Hoblet asked me to look into these issues and present a resolution before the Senate. I have no idea if I’m the committee chair or if I’m just the guy who is to present these issues to Senate. That said, I want to express my sincere gratitude to the members of the Senate Committee on Constitution and Rules for their guidance on these issues. After putting the material together and distributing it to committee members, those colleagues had only about 12 hours to read and respond to the initial proposed resolution. The resolution proposed today incorporates the revisions I received from committee members. I very much appreciate their eagerness to address these issues.

I would like to give my own perspective as another bit of background information I hope the Senate would consider today. These representation issues have come before Faculty Senate at least once a year for the last four years, dating back to February 2011. In my opinion, and with the deepest respect for Senate deliberations, each time the Senate discussed these issues the discussion spun-out into tangential issues and never voted on the central issues of representation for library faculty and those in newly formed colleges. Senate has not rejected the premise but it has not settled these issues either. Well, today, we have to settle the issue because the ballots for Faculty Senate elections need to go out by the end of this week.

The choice before Faculty Senate at this moment is either to resolve these representation issues or, once again, ignore the faculty in the University Libraries, Honors, and the College of Lifelong Learning. In my opinion, continuing to ignore these issues is just not right. The Senate needs to settle these issues. But we must focus our discussion on these central issues. There are other broader issues that have been suggested over the last few days. For example, should we increase the number of seats for Senate? That is an issue the Senate can consider, but I would like to not discuss it today because that is a much bigger issue than what we need focus on today. Are there any questions about these comments or anything you would like me to clarify?

I did not ask for an explicit vote from the committee, because that would have been unfair. By that I mean committee members received the material yesterday and had to respond to me by today – without any interactive discussion. I explained to committee members that I would present their comments to the full Faculty Senate and the Senate would then decide whether it wanted to decide these issues at today’s meeting. To that point, every comment I received from committee members regarding representation of Library faculty members at Senate was to “restore the two seats to the Library faculty.” In contrast, the responses I received regarding representation of faculty in the Honors College and the College of Adult and Lifelong Learning (CALL) was evenly split across one particular issue. Note that Honors has five

faculty members and CALL has one faculty member. It was accepted to pool these six faculty members into a single group. The issue was whether those six faculty members would have one representative on Senate or two representatives. As I just mentioned, the committee was evenly split on that issue. In my opinion, it is time for the full Faculty Senate to settle this issue today. With that I throw it open for comments and questions.

Senator Sheldon: One of the wrinkles here is if we go with one seat, it is one senator now representing two colleges and that senator may or may not be familiar with the other college. If this is just for one year I can see that, but in the long run, again, it's going to be this strange little hybrid situation for a senator or whatever. It is a little misleading on the second page that you have up there on the slide, it's true there are six faculty members and five of which are in the Honors College, only one of which is in CALL. So to give CALL representation they will be 100% on Faculty Senate, whereas Honors if it had one, will be 20%. I just see some difficulty with a faculty senator coming here and bringing full representation from the Honors College and CALL.

Senator Dowd: Senator Sheldon, I agree with everything you said. I recognize that I am only suggesting a temporary solution for the faculty in portal colleges. Truth is that I did not present an overly elaborate resolution simply because this Faculty Senate cannot tie the hands of future Faculty Senates. I hope that President-elect Keith forms the Senate's Committee on Constitution and Rules in early summer or fall in order to determine a long-term solution for this issue. It's obvious that our constitution also needs to be revised to account for the faculty in portal colleges. I also recognize that the proposed resolution is not a first-best solution to the current issue. That said, I hope it provides a temporary second-best solution acceptable to faculty in the portal colleges. Did I address your concerns, Senator Sheldon?

Senator Sheldon: No, that was it.

Senator Dowd: [inaudible]

Senator Sheldon: Out of many different pieces that I've already given you that we're both aware of, that was the only new thing that I kind of had a problem with regarding this. I like this a lot better than the portal college discourse.

Senator Dowd: Thank you.

Senator Barnes: Is there a reason we can't give them each one seat even though that one faculty member would be representing all and him/herself?

Senator Dowd: As you know, the Faculty Senate can do what it wants on this issue. However, for each additional seat on Senate allocated to one college means one seat removed from a different college.

Senator Barnes: Why was that not proposed? It seems more fair to the Honors faculty.

Senator Dowd: President Hoblet?

President Hoblet: I wasn't part of this discussion, however, Senator Dowd and I had a phone conversation. Some other college will give up a senate seat to facilitate CALL having a seat and then it is fair apportionment representation of that college and some people felt (and I am sure they felt), why would a college with 50, 60, 70 faculty members give up a seat when they only have their "handful" to have a college have 100% representation?

Senator Barnes: Because we can only have so many, so there's a cap on the number of senators?

President Hoblet: Exactly. Senator Barnes, you can say that. And we can take a vote, but know that I did hear other voices as well.

Senator Barnes: I didn't know there was a cap.

President Hoblet: Yes.

Senator Dowd: What I am proposing for the Honors College and the College of Adult and Lifelong Learning is clearly a second-best solution. Let's move on this resolution at this time. During the summer the new Executive Committee and Senate Committee on Constitution and Rules can then focus on the remaining issue. Then, in the fall, a companion resolution can be brought to the Senate for consideration. At this time I am proposing a permanent solution for the library faculty while only a short-term "fix" for the portal faculty. I recognize that these are "baby steps" but at least we are taking them. For the last four years Senate has dropped the ball on these issues and I would like us to resolve at least one of these issues this year.

Provost Barrett: I just wanted to say and this is the wrong audience in some sense- having 100% representation also means that faculty member is always on Senate, and not everybody wants to be on Senate their entire life <laughter>. In fact, the constitution requires you to rotate out at a certain point. This is a onetime solution, but I am just saying, yes representation is nice but you are also condemning the person to eternal services <laughter>.

Senator Dowd: Is there any further discussion? Now, this is not a formal resolution coming from the committee so I ask for a motion to adopt the resolution.

Group of Senators: So moved.

Senator Dowd: Is there any further discussion?

Senator Relue: So this will become a one-year amendment to allow us to violate our constitution?

Senator Dowd: With respect to the library faculty, I am proposing that we stop violating our constitution. The proposed resolution would restore the number of seats librarians have on Senate to that specified in our constitution. With respect to portal college faculty seats on Senate, I am not proposing an amendment to the constitution. Instead, I am proposing only a short-term "fix" that would permit Senate to

thoroughly consider all of the relevant issues during the next academic year. Given the significance of those issues, subsequent discussions could lead to a proposed constitutional amendment. Senator Relue, may I broaden your question to whether the proposed resolution violates the spirit of our constitution? I ask this because its author, John Barrett, is in attendance today. Perhaps he would comment on this point.

Interim Provost Barrett: I want to make a comment. When the constitution was drafted there were no portal colleges. This whole concept was not contemplated by the constitution. Now one of the things we put into the document was the ability of Senate to vote to clarify ambiguity; so I would interpret this is a way since there were no portal colleges to clarify the ambiguity on how you handle the portal colleges, whether you want to make it permanent or whether you want to revisit the constitution next year is entirely up to you, but I don't see this as voting to violate the constitution, it's handling a situation that wasn't contemplated.

Senator Relue: I guess then my second part to that question then is if we are trying to handle something that wasn't contemplated, would voting to add one more representative to our total number be allowable so we are not taking away from somebody else or can we not do that?

Interim Provost Barrett: I do not interpret the number of senators in the constitution to be in any way ambiguous; it is a set number that is subject to increase solely because of the president and past president terms coinciding by making it go up one or two people, but that's the only flexibility there is; it is a fixed number.

Senator Dowd: Is there any further discussion? Hearing none, I ask that all those in favor of passing this resolution say "aye." If any are opposed, please say "nay." ***Resolution Passed.*** Thank you.

President Hoblet: Senator Dowd is now going to give us an update on the deans' evaluations.

Senator Dowd: The dean's evaluations opened late last Wednesday or Thursday morning. So far there have been only two problems that I am aware of. For colleges whose dean is being evaluated, I ask Senators to reach out to their colleagues and ask them to participate in this very important component of shared governance. The relevance of the results from these evaluations is critically dependent on the participation rate. To ensure the meaningfulness of the evaluation of your dean, please encourage your colleagues to participate in the assessment of your dean's administrative performance.

Unknown Speaker: Can you tell us the colleges whose deans are going to be evaluated?

Senator Keith: There are seven.

Senator Dowd: The deans that were evaluated were from the Colleges of Communication and the Arts, Education, Honors, Language Literature and Social Sciences, Natural Sciences and Mathematics, Nursing, and Pharmacy.

Senator Sheldon: Honors hasn't seen anything about the deans' evaluation if you sent out emails.

Senator Dowd: Senator Sheldon has raised an important issue. Before I say anything else, note that your dean has not impeded this process in any way. That is not true for some other deans. The problem for the Honors faculty was a technological glitch – a blank space was added to the end of each UTAD ID, which caused the problem you mentioned. I believe that issue has been resolved. As background information, note that the Senate Office, meaning Quinetta Hubbard, emails college offices and asks the dean’s executive secretary to distribute the evaluation announcement and relevant webpage link to faculty members eligible to participate in such evaluations. We have had to follow that process because Faculty Senate cannot send college-specific “email blasts.”

Speaker Marthe Howard: What is the mechanism of the choices for which what dean will be evaluated?

Senator Dowd: Essentially, most deans are evaluated every two years. However, there are some mitigating factors that may cause a delay in an evaluation. For example, by what data did a dean sign a contract? Was the dean an interim dean prior to appointment as dean? Such issues may delay an evaluation for a semester, but rarely more than that. On the opposite end, Senate will conduct an evaluation of an administrator at any time we receive such a request by the Provost.

President Hoblet: Yes, it is every two years.

Senator Dowd: Are there any other questions? Thank you.

President Hoblet: Next, I ask Senator Humphrys to come back to the podium to report on the business that took place at the last Ohio Faculty Council meeting.

Senator Humphrys: Governor Kasich has signed an Executive Order to establish a task force to investigate the affordability and efficiency in higher education.

- The task force is to recommend ways in which two- and four-year colleges and universities can decrease their costs.
- Among its charges, the group will examine administrative staffing levels, faculty teaching loads, course requirements for degree completion, and low-enrolled programs and courses at both the undergraduate and graduate levels.
- There will be 9 members on the task force:
 - 5 appointed by the governor
 - 1 appointed by the Speaker of the Ohio House
 - 1 appointed by the Minority Leader of the Ohio House
 - 1 appointed by the President of the Ohio Senate
 - 1 appointed by the Minority Leader of the Ohio Senate
- Governor Kasich will designate the chairperson
- The task force report will be completed by October 1, 2015

TOPIC 2—Inter-University Council Update

- Guest Bruce Johnson, president of the Inter-University Council, was the guest at the OFC meeting.
- He confirmed that the IUC negotiated for 2-year colleges to have the ability to offer bachelor degrees.
- He perceives that the current political environment in Ohio to be the most hostile that universities have faced.
- He stressed that pressure is building for Ohio's universities to make college more affordable—this with a 17 percent decrease in State subsidies over the past 4 years.
- Johnson also said that there is a strong push for Ohio's universities to reduce the time to graduation. He believes we will hear a lot more about that because basically, when it comes to cutting costs there are two things that can be done: One of which is literally cutting budgets. The thing that he said the IUC is going to concentrate on is the other option-- they are going to push for reduced time to graduation so that will be less expensive tuition-wise, less expensive because students won't be taking as many courses and there will be more courses that will transfer, so it will be kind of interesting to see how that plays out. This is the Ohio Faculty Council report. Are there any questions?

Senator Edinger: I didn't hear you, how many people from Education are going to be on this taskforce <laughter>?

Senator Humphrys: Well, no one specifically.

Senator Edinger: Will they have college degrees <laughter>?

Senator Humphrys: I read his Executive Order pretty thoroughly and I didn't see anything about that. Someone at the Ohio Faculty Council did ask that question and we were told (this was not confirmed) that of the five members that will be appointed by the governor he will appoint at least one educator and chances are it will be the president of one of the universities, but that's not definitive.

Interim Provost Barrett: I would like to comment on the community college bachelor degree because it was a tad bit more subtle in its detail. It is all right for a community college to offer a bachelor's degree if a four-year university within a certain radius doesn't choose to do it. So, there is a back-and-forth process; they can't offer something that is already offered in the area and if a four-year university or college wants to pick it up then the community college will then be prohibited.

President Hoblet: Thank you.

Senator Edwards: I was preparing for my class in Urban Education for tomorrow night and I found out this weekend that the State of Ohio last year did not graduate 300,000 students from high school who were eligible to graduate. I think the politicians should be called to task for that fact.

Senator Molitor: Could you elaborate on that?

Senator Edwards: They dropped out. The ninth-graders who started and were supposed to graduate in 2014 -- 300,000 out of 1.3 million high school students in the State of Ohio did not graduate.

Senator Humphrys: I am guessing that the governor will put together another taskforce.

Senator Edwards: Meanwhile, we spend hundreds and hundreds of hours on these post-secondary options and College Credit Plus- 9,000 students used College Credit Plus last year. These programs are designed for suburban kids who can afford to go any place in the world and we ignore the poor population of the State of Ohio and they are not providing for the common good as they are supposed to do according to the Ohio Constitution.

[Applause]

Senator Kistner: Senator Humphrys, do you know if that taskforce is looking strictly at tuition or will they be looking at the fees that go along with it?

Senator Humphrys: Well, maybe if it's okay, President Hoblet, we can circulate an email with the actual Executive Order that was signed.

Senator Kistner: Perfect.

Senator Humphrys: Yes, it did not get into specifics, Senator Kistner.

President Hoblet: It did not get into specifics, Senator Kistner.

Senator Humphrys: It talked about some of those things like staffing levels and again of course, faculty teaching loads, but it was pretty vague when it came to things like how we're going to be more efficient. That's a good question. I can get that to Quinetta and she can forward it to the Senate.

Senator Kistner: Thank you.

President Hoblet: Thank you, Senator Humphrys. That concludes the majority of the reports for Faculty Senate; however we would like to know what the preference of the Senate is at this time. We would like to have an open discussion about the presidential candidates prior to the Board's meeting next week. The videos are closed out as are the surveys and we would like to know your pleasure. We can go into Executive Session and have an open discussion. We brought index cards if the Senate does not want to go into Executive Session; people can take the index cards and comment on those and in an anonymous fashion turn those in. Again, I would like to know the pleasure of Senate at this point.

Senator Keith: I would actually speak against going into Executive Session. I think maybe we should just put our comments on cards. I am not sure if it's in the best interest for Senate to express a preference for a candidate and then not have that candidate be chosen.

President Hoblet: Thank you, Senator Keith.

Senator Dowd: I was going to say something very similar. If we begin a discussion of individual candidates we may end up enumerating positive and negative characteristics of each candidate. I do not believe that would be beneficial, even at an Executive Session. Instead, Senators can express their views

on card and the Senate Executive Committee can present those views when President Hoblet and Vice President Keith meets with the Chairman of the Board.

President Hoblet: Thank you, Senator Dowd.

Senator Krantz: Senator Dowd just answered part of the question, but can you explain at this point, what is the line in the process of communication of anything that we say between Faculty Senate and whoever is making a final decision, I assume that's the Board of Trustees.

President Hoblet: Yes. I specifically requested that the Board of Trustees that the Board of Trustees meet with the entire Faculty Senate Executive Committee, meet President-Elect Keith and myself, or meeting with me. Chairperson Zerbey and Vice Chairperson Speyer answered sharing that they are willing to meet with President Elect Keith and me for a few minutes prior on Monday, March 9th BOT meeting at 10:00 a.m. in the Driscoll. So we will have that window of opportunity and I am very open to sharing your voice and I am very open to actually handing them our cards so they can see the comments and the feelings expressed by the Faculty Senate.

Senator Edinger: Is there a sense from you that the Board will view the support or concerns of the Faculty Senate as a positive?

Senator Hoblet: Yes, I think they are much more open to our feedback now. Anybody else can speak up, but they are being more open now than they were at the beginning of this year.

Senator Molitor: If I can just follow up on that. They have agreed to do everything Faculty Senate Exec has asked of them during this search process. You can interpret that however you wish.

Senator Edinger: Is the work of the interview committee, the large committee, is their work done?

President Hoblet: Senator Edinger, I am hoping so, but every time I say that something comes up that must be done. So I am knocking on wood. I know that at this very moment the search committee's job is done and we've turned decision making over to the BOT.

Senator Relue: Did the committee put a recommendation forward to the Board after all the candidates were here, or simply, the three candidates were here and now it is up to the Board to decide?

President Hoblet: No. We were asked to list our top three candidates on a slip of paper. These were handed into the search firm and they counted them in front of the entire search committee. Any conversation with Board members was unofficial. I certainly got queried by some Board members and I spoke from my perception about the experience, knowledge, and skills that each candidate offered. I don't think any of us ever ranked candidates. Every one of the candidates had strengths, every single one of them. I have my personal preference, but this preference is what I believe is based on the capabilities that each candidate can bring to our university. I think two of the candidates brought some really heavy tools to the job and I think we need to make sure that perspective is shared with the BOT. We talked about it, it is almost like endorsing a candidate from the Faculty Senate and the candidate not being the selected candidate- there risks that must be weighed.

Senator Edwards: The other thing that I want to say, President Hoblet, is thank you because I know you personally went to the Board members and had the comment session reopened after the last candidate was here till Monday and I appreciate that.

President Hoblet: Thank you Senator Edwards. I really tried to get it opened for a longer time. I was hoping that they would keep it opened till Tuesday or Wednesday, I cannot believe it was closed on Monday. It sort of opened and snapped shut, but at least it was opened for short time. I just wanted people to be able to participate if they couldn't get to any of the open forums and I thought the open forums were so rich with information. We were provided with a unique opportunity to meet with them over a luncheon. The candidates did not get much to eat those days, may a couple bites of their chicken., but all were treated equally. I must add they were treated equally except for the desert, the first candidate had a much better desert than the other two <laughter>.

Senator Edinger: I just want to say how much I appreciate the fact that the committee did a nice job of bringing in a couple of top candidates that met most of the criteria that I saw; so my hat's off to the committee for listening to the faculty and the community regarding some of the candidates that they brought in.

President Hoblet: Thank you, Senator Edinger. I thought the candidates were very unique. I think there are some candidates that would be stellar. I informed the Board that even though three candidates were brought into our university community to participate in this process, we had no guarantee that any of those candidates will accept an offer to come and be our next President. We will have to wait and see, so there is hope. Are there any other questions or comments? Again, I would like to know the pleasure, is it alright if we distribute some cards for comments?

Senator Dowd: So moved.

Senator Barnes: May I comment? If you hand the Board a set of cards from us, what are they going to do, pass them around in their meeting and read them one at a time? Maybe, we can do an Executive summary or some kind of summarization that's short and identifies the themes that emerge from the cards.

President Hoblet: I would be happy to do that as well---

Senator Barnes: I think they might be less willing to engage the information if it's awkward for them to do it.

President Hoblet: And maybe we can provide them with a one page summary of our concerns that we have. They spend an enormous amount of time and I don't think any of these Board members ever envisioned (like myself) about the enormity of the job that they just took on. I had no clue about the what would happen this year. What was included was the hiring of our new president, the resignation of a provost, an interim provost, and interim president and presidential searches; this has taken an enormous amount of time and the Board, like the entire search committee has been going at this since September. So I think your idea is expeditious, Senator Barnes and I would be happy to do so.

Senator Molitor: If I can follow-up on Senator Barnes' comment. It seems to me like they will not accept those cards. Their initial reluctance to open up the survey until Monday had nothing to do with not

wanting to do so. Instead, they wanted to be fair to the candidates. They had told the candidates originally up front that this was going to be the process and so the comment that we got back is, “we can’t do that until we go back and check with the candidates to make sure that is okay.” I think that is very reasonable and fair.

President Hoblet: They were very consistent with their treatment towards each of the candidates. Are there any other comments? Should we pass the cards? Quinetta and Scott please hand out the cards. We will adjourn once the cards are handed out? Meeting adjourned at 5:43 p.m.

V. Meeting adjourned at 5:43 p.m.

Respectfully submitted,
Lucy Duhon
Faculty Senate Executive Secretary

Tape summary: Quinetta Hubbard
Faculty Senate Office Administrative Secretary