

THE UNIVERSITY OF TOLEDO
Minutes of the Faculty Senate Meeting of November 20, 2018
FACULTY SENATE

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

Approved @ FS on 01/15/2019

Summary of Discussion

Dr. Andrew Hsu, Provost of The University of Toledo

Dr. Raymond Witte

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 Rouillard: Good afternoon. I would like to call this meeting to order. I will ask President-Elect Tim Brakel to call the roll.

I. Roll Call: 2018-2019

Present: Ahalapitiya, Andreana, Brakel, Chattopadhyay, Compora, Dinnebeil, Dowd, Duggan, Emonds, Ferris, Gibbs, Gilchrist, Giovannucci, Gray, Hall, Heberle, Hefzy, Jaume, Keith, Kistner, Krantz, Lee, Lundquist, Maloney, Molitor, Monsos, Niamat, Oberlander, Ohlinger, Reeves, Relue, Rouillard, Sabharwal, Said, Sheldon, Steven, Taylor, Templin, Tiwari, Van Hoy, Weck-Schwarz, Wedding, Weldy, Woolford, Xie

Excused: Ariss, Bailey, Bigioni, Frank, Gibbons, Kovach

Unexcused: Bouillon, Edgington, Hammersley, Lecka-Czernik, Longsdorf, Menezes, Modyanov, Murphy, Ortiz, Park, Schroeder, Schlageter, Stepkowski, Thompson-Casado, Tucker-Gail, Zhu

II. Approval of Minutes: Minutes from the Faculty Senate meetings held on November 6, 2018

President Rouillard: All right, the first order of business is the approval of the Minutes from our November 6, Faculty Senate meeting. The Minutes were circulated. Is there a motion to second these Minutes?

Senator Ferris: *Second.*

President Rouillard: All those in favor of approving the November 6th meeting Minutes, please signify by saying, “aye.” Any opposed? Any abstentions? ***Motion Passed.*** Thank you very much. The next agenda item is the Executive Committee Report.

Executive Committee Report: Following our last Faculty Senate meeting, Tim Brakel and I met with Provost Hsu and Janelle Shaller, Associate General Counsel in the Office of Legal Affairs, to discuss the Dean Survey, specifically the distribution of comments. We outlined for them the process as explained on the first page of the survey as presented to FS on Nov. 6, that in this round of surveys, comments would be forwarded only to the dean and the provost, and that an amendment was proposed and passed to return to our previous practice. Ms Shaller’s concern was liability to charges of defamation, specifically libel in response to the distribution of comments about deans to the college faculty. We also suggested that the comments section be relabeled as “Opinion” which would be protected speech. Ms Shaller agreed that that would be a good option, but declined our invitation to come to FS to further explain these issues. Tim and I agreed that we would revisit this issue of distributing comments to the college faculty at our next FS meeting.

On November 14, Mark Templin, Tim Brakel, and I met with Mr. Steve Cavanaugh, Chair of the Trustee and Governance BOT Committee, and Matt Schroeder regarding our revisions of the FS Constitution. Mark Templin did an excellent job of reviewing and outlining changes. Mr. Cavanaugh had only one major concern: the evaluation of administrators. He cited the board's dismay at some of the comments on deans that were circulated in the last cycle of deans evaluations and intimated that this could be the one sticking point related to board approval of the revised constitution. We did point out that the constitution only charges us with participating in one component of the evaluation process of administrators and that the process of our survey is not outlined in the constitution. We also explained that FS would again address the issue of the distribution of the "comments" or "opinions".

On November 16, FSEC met with President Gaber. As usual, we had a congenial, open discussion about issues such as enrollment. President Gaber asked us to nominate a faculty member to the search committee for the VP of Enrollment and we proposed Dr. Kasey Tucker-Gail who graciously accepted.

I would also like to point out that the issue of liability insurance for student organizations, a discussion spear-headed on this campus by Faculty Senate President-Elect Tim Brakel, has now reached the level of the InterUniversity Council which will include the topic in their January meeting.

A committee update: the Elections Committee will now be co-chaired by Richard Kruzel and Sibylle Weck-Schwarz.

Does the Executive Committee have anything to add? Any questions?

Are there any additions or corrections from the Faculty Senate Exec?

Senator Brakel: Just a clarification regarding the Student Affairs liability. That was on the IUC's agenda at the October meeting. It was discussed there and it is on their agenda again for the January meeting, at which time they will bring in somebody who will address issues of liability and who knows where we will go from there.

President Rouillard: Are there any questions?

Senator Dowd: Maybe I am missing a lot here. Why do Student Affairs need insurance?

Senator Brakel: Well, what happened was at the start of the semester I learned about these student clubs that were being charged. They were asked to carry a \$1M liability insurance policy to hold practices and/or other events. For a couple of different clubs, that was somewhere north of \$600 up-to \$800, so I started questioning that with Student Affairs and this is where it is going.

Senator Dowd: Is it intramural athletic, that type of thing?

Senator Brakel: Well, it is a little broader than that, but yes, intramural types of sports clubs primarily. But in Engineering there was another event held last spring where they may have had to have some liability income coverage for an event that they were having. It is to minimize the risk of liability to the university. There are a couple of different ways around that. One, you can get a waiver from within our Legal Affairs liability person to say, yes, just minimal liability to the university. That is one approach that could be done. The other is getting actual liability insurance to cover an event.

Senator Hall: I remember when this came to forum, I didn't get a chance to ask questions. When did this policy start?

Senator Brakel: That I am not clear. Last spring there were two policies that were at least presented. One seems to be retracted back and has actually been implemented and the other one does talk about liability for advisors of the clubs and that you may or may not be covered depending on whether or not you've been negligent or not in the duties.

Senator Hall: But the thing I don't understand is that anybody can walk on campus because we have an open campus. Anybody can walk on [campus] for any reason whatsoever. I presume the university has insurance that covers general liability. I don't see why this doesn't apply broadly to all student organizations.

Senator Brakel: It comes up to the different issues of risk and how they try to assess the risk, for instance, is there more risk in a running club compared to a chess club, that sort of thing?

Senator Molitor: I was just going to follow-up on the two draft policies. I believe the policy on student organization advisors was approved. As long as you have it in your position description that you are supposed to be the advisor of a particular organization, then the liability rests with the university and not the advisor. The policy regarding liability for student organization events was pulled back. They did not go through the approval process with it. I think they are waiting for the IUC to answer this.

Senator Brakel: My understanding is that liability insurance for the university bid out is actually bid out for all universities in the state of Ohio through the IUC, and the debt was not covered as part of the deficit.

President Rouillard: Is there anything else? All right, in that case we will move to the Provost's update.

Provost Hsu: Thank you, President Rouillard. I only have two very quick items to talk to you about. The first item is the Commencement and the honorary doctorate we are going to be giving this fall. Our Commencement is going to be on December 15. We are going to have two Commencement ceremonies, one for undergraduate students and one for graduate students. The graduate Commencement is going to be held from 8 a.m. to 9:30 a.m. and the undergraduate ceremony is from 11:00 a.m. to 1:30 p.m. They both are going to be held at the same location, and that is the Savage Arena. We have a very good speaker for our undergraduate Commencement, Dr. Michael Witherell. We are going to give Dr. Witherell, an Honorary Doctor of Science degree at the Commencement. He is a distinguished physicist and is currently the Director of the Berkeley National Lab. He also served as the Director of Fermilab. He is a Toledo native. He graduated from St. Francis De Sales High School in 1965, so some of you may actually know him. I would encourage you all to participate in the graduation ceremonies to help our students celebrate. I know President Rouillard will be there holding a very heavy mace. We would prefer that you RSVP online so we will know how many seats to save for faculty members. Please go and talk to your colleagues back in your department and encourage them to RSVP.

The other item is we're conducting a national search for a new director for Institutional Research. There's been a search committee working for a few months. The Faculty Senate is represented. We have several faculty members on the search committee. They did a skype interview of some candidates yesterday and they will soon select a final candidate from on campus interviews. I encourage you to participate.

We have the November Future of Higher Education forum to be held next Tuesday and Amy is going to provide you with flyers.

Finally, I wish everybody a very Happy Thanksgiving this Thursday. And for those of you who are traveling, safe travels. Thank you.

Senator Dowd: Provost Hsu, the last couple of Senate meetings we had some brief discussions about the doubling of the tax levied on individual college technology fees. I was wondering if you had any thoughts on the rationale for the increase of the tax, the longevity of it, or any other information that you may have that you can share with us.

Provost Hsu: My understanding is, it's really added to solve the fiscal challenges that we have, but I don't have all of the details, and how that was calculated, and how long it is going to be in place. But, I will be happy to look into that and talk to our CFO and come back.

Senator Dowd: I will greatly appreciate that. Thank you.

Provost Hsu: Thank you.

President Rouillard: I think the biggest concern is that this is a student fee and if these fees are going to the general operating budget, that is somewhat problematic. We had a history on this campus in a previous administration where a president and a CFO (at the time) believed that students could pay a library fee, but they didn't necessarily have to go to the library. That is a little problematic.

Provost Hsu: I certainly understand the concerns.

President Rouillard: Thank you, Provost Hsu.

I am sorry, I didn't remove Anthony Edgington from the agenda heading. He will have a report for us at our next meeting. The other guest that we have today is Dr. Raymond Witte, the new Dean of the Judith Herb College of Education. His schedule was such, he said he could come at 5 p.m., so what I would like to do is move up this particular discussion and we can work on that until Dean Witte arrives.

Senator Brakel: Did we approve the Minutes?

President Rouillard: Yes, we did.

So for the consideration of the faculty survey: The last time we met the Faculty Senate Exec. brought to you a list of procedures for instructions about how to fill out the survey, that faculty are to review their deans in terms of their professional accomplishments, that the contents of their responses would be anonymous. In the meantime, Senator Van Hoy has reminded me, and I believe that conversation happened last time, that there is a difference between anonymity and confidentiality in this kind of survey research. Senator Van Hoy recommends that we use the terminology, "confidentiality."

The other important issue was the other recommendation that we brought forward, that the statistical outcomes would be shared with the college faculty, the dean, and the provost. But the comments would be shared with the dean and with the provost, only. We had an amendment that was proposed that we go back to our previous procedure of distributing the comments to the college faculty, the dean, and the provost—and that was passed. As I indicated in the Executive Committee Report, Tim and I had a subsequent meeting with Legal Counsel who reiterated the concern about liability and the potential for accusations of defamation, specifically libel. We indicated that we would come back to Faculty Senate and reopen the discussion on that particular procedure. So, what are your thoughts?

Senator Dowd: For the issue of libel, who exactly would be held liable? Would it be Faculty Senate or would it be an argument that we will have to take down the names of everyone who wrote a particular comment? How exactly would Faculty Senate be liable for reporting comments provided by an anonymous or confidential faculty member?

President Rouillard: Senator Gilchrist, do you want to take a stab at that?

Senator Gilchrist: I would be happy to speak on this issue. I would preface by saying that I am a lawyer, a member of the Ohio Bar, and therefore, it is important that I clarify that I do not represent Faculty Senate, and I do not represent anyone in this room, and this is not legal advice. That said, what we are hearing from the University council secondhand is also not legal advice. They don't represent the Faculty Senate, they represent the University. I believe the claimed risk of legal liability is overstated and incomplete. The process for legal action here for defamation by publication by the Faculty Senate, that requires that the publication be made with a culpable mental state. That is, the Faculty Senate would have to have a culpable mental state in publishing the evaluations to the faculty of the college. So if we publish our evaluations according to a valid policy mandated by our own Constitution, I just don't see how the publication of a particular evaluation could ever be seen to be reckless or otherwise culpable. More than that, where the communication is pursuant to a valid policy, it may well enjoy something called a conditional privilege. Here there are two Ohio Supreme Court cases, Hahn v. Cotton and A&B v. Abell Elevator and these stand for the proposition, where publications is made to an interested party — in this case would be the college faculty — with the duty to learn of the information — here, college faculty has such a duty to faculty governance — that publication is protected against defamation actions. It doesn't mean they are absolutely protected. What it means is that it is only actionable if the publication is made with actual malice. This is an exceedingly high standard of culpability. It is inconceivable in the routine publication of evaluations to college faculty for the purposes of faculty governance. Finally, to get to Senator Dowd's point. For any of this to be of any concern, what we really have to have is the subject of the evaluation filing a lawsuit to the Ohio Court of Claims, alleging not only a culpable mental state on the part of the Faculty Senate, but also falsity and damages. It all seems pretty unlikely to me. So I do not believe there is a meaningful risk of incurring liability for publishing evaluations. If there are lawyers who represent the University who disagree with that, I would ask that they present a report on the legal issues and basis for their conclusion to us, but as it is, we don't have any report. I am a bit troubled by the way this is coming up. We passed this. It seems to be the will of Senate that we maintain control of the faculty evaluations. It is one of the limited areas where faculty maintain a real voice in leadership decisions. This seems to be an effort by the administration to limit the faculty voice on these matters. Now, I don't begrudge that effort. If I was a dean or an administrator, I would probably join in that effort, but I am not. I am a faculty member and a member of the Faculty Senate. I've never seen a faculty based reason to prevent us from looking at our own evaluations inside the college, and that is what makes these effective is that we find out what we think as a collective body of our leader.

Finally, I am troubled that this is coming up after we voted on it and it is raised at a meeting right before Thanksgiving break. So I would like to make a *motion to table* this matter and instruct the Executive Committee to proceed with the evaluation that was approved and adopted at our last meeting, but I will hold off on that motion.

President Rouillard: We will leave time for you to come back to that motion after discussion.

Senator Gilchrist: Thank you.

Senator Keith: Can I ask a point of clarification? What motion are you asking to table potentially? I mean, is there a motion on the floor?

Senator Gilchrist: I would table this discussion, but I do not want to do that before some discussion.

Senator Keith: And if we were to table the discussion, that would just mean that we are done talking about this and going forward with what was passed last week?

Senator Gilchrist: Yes.

Senator Keith: Got it.

Senator Gilchrist: So I understand from Senator Dowd, I think it was Senator Dowd from the last Senate meeting, there is some urgency here in terms of getting the evaluations out so they can go. I think that delay of this year's process is problematic, so I am suggesting that we *table* this for the next round of evaluations and this year the Executive Committee can proceed with the process that was adopted at the last Senate meeting. So that is what I think is the right approach here—however we want to form that motion.

Senator Keith: President Rouillard, did you talk to Institutional Research about how long it will actually take them to process the evaluation?

President Rouillard: It will not take long. When I asked them to run kind of a sample over the summer, it was very quick. I don't think we will run into the same timing issues that we did when we used CCI to run these surveys.

Senator Dowd: But to that point, it is not just the mechanical aspect of putting the evaluation together; there was also a time lag due to an instructor who listed the roles of the faculty, of taking people off the rolls and adding new faculty to the rolls. There's always the substitution when one faculty or another joins administration whether they will be included in the evaluation, so, it is also putting that list together. If you want to pull that from Banner, you can certainly do that, however, you still have to vet each department and each college and check the status of the names. So it is both of those aspects.

Senator Rouillard: I've already sent a message to the Elections Committee asking them to meet me in that process.

Senator Dinnebeil: So the logic sounds clear in terms of legal perspective. I would also ask about morally and ethically, about making public comments that people make that would have perhaps an unfair and negative aspect. I was in the college last year and I was quite frankly appalled by some of the comments that my colleagues made in terms of lack of professionalism and mean spirited. For that reason, I just don't believe that it is necessary to release those comments. I also don't think that we should be in any way editing or revising those. It is either all or nothing. It may be a legal thing to do, but I am not sure that it is the right thing to do from my perspective.

Senator Gilchrist: I think that is a valid concern. I just spoke to my dean about this actually. One of the concerns we have generally is whether everyone filling out the evaluations is aware how public they are. Even if we change this policy, they are subject to an open records request, so whatever happens now, people should be aware of that. What we're going to do in the College of Law, and I think everyone here should do, is when these evaluations go out, I will send a separate email to all of my colleagues in the College of Law reminding them that these evaluations are not confidential, they are anonymous and anything written in there will be in some manner public, whether it is disclosed to all of the faculty in the college, which I think should happen, or subject to open records so people know.

President Rouillard: We did include that language in this version of the instructions, but it certainly bears repeating.

Senator Gilchrist: Thank you.

Senator Krantz: I agree with Senator Dinnebeil's point. I will ask ahead of time whether there is someone who is familiar with the details. One of the cases came from our college. The comments were

truly retaliatory; there was malice involved; they were completely unwarranted; they were completely unprofessional; they were offensive to almost everyone else in the college; and it was behind a cloak of being anonymous, however everybody pretty much knew who made the comments. So it goes back to, is this morally justified whether it is legally justified or not? So with that as a preface, is there someone who is familiar with the case moving forward that can give a little bit more details so Faculty Senate understands the context?

President Rouillard: I will say again, the directions on the first page of the survey specifically request professional activities be considered. Of course, that could be subjective, people have different definitions of what constitutes professional behavior and professional accomplishments. But I do believe what Senator Gilchrist is proposing that there be yet another iteration of these discussions, perhaps in the email memo that goes out to announce the surveys.

Senator Keith: I was on the Faculty Senate Executive Committee when we conducted the last round of evaluations. Actually, the provost came—it was at the time when we were transitioning from Mary Humphrys to Amy Thompson. We decided that the old Executive Committee would take care of this issue because the provost came to us and asked that we consider either not release the comments, redact them, or just summarize them. We had a long discussion and at the end we decided we were going to release them as they were. Now, that kind of blew up on us as I think you have heard in the past. We thought it was not right that deans were singled out and horrible things were said about them, but the more troubling aspect were the people that were named in these evaluations that had nothing to do with the evaluation itself. There were department chairs and associate deans that were named who reputation was maligned because it was one way in getting back at the dean. It is those people that I am concerned about, which is why I don't personally think they should be released. It took me a while to get to this conclusion, but I don't think they should be released given that we can always see them if somebody is willing to file a freedom of information request. There was a particular person in one of the colleges who did threaten to sue us. He wasn't going after Faculty Senate, he was going after the Faculty Senate Executive Committee. He was going after [certain] individuals. So Senator Gilchrist, is it your opinion that if somebody—somebody who is not being evaluated, but is liable in the evaluation—comes after the Faculty Senate Executive Committee that those people have nothing to fear from a potential lawsuit, or that they will have to fork money out of pocket to pay lawyer bills?

Senator Gilchrist: I suppose I can only start by saying again, I cannot give legal advice in no particular way here, that wouldn't be ethical or would be correct. But what I would say is that the burden should be on the university that wants us to change our longstanding practice and policy. If they have a legal argument we are at risk, that is news to me and contrary of my understanding of the law. I think they should back it up with more than an email that cites a case that does nothing, but state the definition of defamation. I think we need more than that if we are going to follow their legal advice.

President Rouillard: And that bring us to this email that Senator Brakel and I received. It cites a case that happened at the University of Akron. The incident happened in 2008. It went to a lower court. The university was acquitted of the charge of defamation and then the decision was appealed. The appeal upheld the decision declaring that the university was not guilty of defamation. Email:

From: Schaller, Janelle
Sent: Thursday, November 8, 2018 1:48 PM
To: Hsu, Andrew; Rouillard, Linda; Brakel, Timothy D.
Subject: As requested

Drs. Hsu, Rouillard, and Brakel:

Here is a paragraph from a case that spells out the elements of a defamation claim in Ohio.

Defamation, which includes both slander and libel, is the publication of a false statement made with some degree of fault, reflecting injuriously on a person's reputation, or exposing a person to public hatred, contempt, ridicule, shame or disgrace, or affecting a person adversely in his or her trade, business or profession. To prevail on a defamation claim, whether libel or slander, a plaintiff must prove the following elements: (1) a false statement, (2) about the plaintiff, (3) was published without privilege to a third party, (4) with fault or at least negligence on the part of the defendant, and (5) the statement was either defamatory per se or caused special harm to the plaintiff.

Savoy v. Univ. of Akron, 2014-Ohio-3043, ¶¶ 17-18, 15 N.E.3d 430, 435 (10th Dist.).

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Prof. Humphrys: was the president of Faculty Senate at the time and I was the person who received several emails from the individual who was going to sue me. It isn't clear and I would like to make it clear, I wasn't going to be sued because something that was said about him that was incorrect or inaccurate, I was going to be sued because as president of Faculty Senate I was responsible for the distribution of that information. I talked with the counsel here at the university and also outside attorneys and I was told that there was a very possible chance that there could be a case against me because his claim—he was a faculty member; he was not anyone who was being reviewed—was that I distributed this information and thus played a role in making it public. He could not identify who anonymously said this or wrote this about him, but what he could identify was the fact as president of Faculty Senate, I was responsible for distributing that information to the other faculty members of his college. I am not an attorney, but the attorneys that I spoke with felt that a case with merit could be made against me due to distribution part I played. Also, I was told that not only could I be liable, but the attorney also said that

members of the Faculty Senate are similar to, for example, members of the board. It says in our constitution that these reviews have to be done; but it doesn't specify at this point how it is done. The decision of how it is done is the responsibility of the Faculty Senate. This was a pretty hot issue from the perspective of this faculty member for a duration of probably a good six weeks after the comments were distributed, but I was never taken to court. Again, it wasn't that I could be held liable for what was said, it was that I could be held liable for distributing what he claimed were false claims about him.

Senator Hefzy: I have a question. Is it possible to forward this email to Senate?

President Rouillard: Yes, we can. I can do that.

Senator Hefzy: The second thing is, there's been a lot of legal terms that have been said, so I have a simple question about distribution. The Faculty Senate distributes the comments to the dean along with faculty, and still there's an issue of distribution. So, you could have a liability if you forward the comments to the deans and provost and they make the decision about tenure and promotion.

President Rouillard: Well, in this case it is a dean and so a tenure and promotion is not necessarily at stake.

Senator Hefzy: Okay, but you are making an evaluation of the dean, right?

President Rouillard: Right.

Senator Hefzy: You have distributed these negative comments to somebody.

President Rouillard: Now, I don't think that forwarding the comments to the dean or the provost is the issue.

Senator Hefzy: But the issue, she keeps saying distribution.

President Rouillard: To the college faculty of the dean.

Senator Hefzy: But distributing to the provost is not distributing?

President Rouillard: No. That would be considered a third-party who would have reason to see these comments.

Senator Dowd: So does the faculty. There is no difference.

Senator Hefzy: I didn't hear Senator Dowd.

President Rouillard: He said there is no difference between distributing it to the provost and the faculty, and faculty also have a right to see it.

Senator Gilchrist: The difference is there is more people and therefore more people who could get upset. Many with unfortunate emails and unkind threats—I don't want to diminish that, I think it is unfortunate. I think we might be losing the value of distribution to the faculty here and I don't want to lose sight of that. Why do we distribute faculty evaluations to the faculty? So they can continue in their role of governing their college. Fundamentally, I believe, I hope we all believe, that faculty govern the colleges. So if we hand this off, the only assessment is in the hands solely of administration. The deans are administration; central administration is administration and the faculty have lost its voice in governing its college. I believe faculty members need this information. I would suggest that if we cannot maintain the practice that we maintained then each college ought to setup an individual who is designated with filing an open records request each time, so no one has to appear to be getting information at a particular time. It will be

a matter of policy at the College of Law. We will file an open records request to have the evaluation go through and everyone could do the same, but that seems unnecessary. I think we need this information.

Senator Dinnebeil: I am not suggesting that we withhold information from the survey items itself. It seems that the comments give people license to say things and the freedom to know they can say anything that they want. I just don't believe that is the right thing to do. I am also concerned about the likelihood that this would have on people willing to take over administrative positions where they are subjected to people who give feedback in the way it was given last year. I think we have enough trouble finding administrators, deans, associate deans, and chairs. I don't think this is a productive or positive way of supporting our colleagues who are in administration.

Senator Dowd: One issue at the center of this is some very unprofessional comments made in past evaluations to the deans. One point that I think is perhaps not being considered is when you read evaluations of deans and when you come across a statement that is so obviously personal, a personal attack, something that is so unprofessional, we are all smarter than the average bear here. We all understand it tells you more about the person who wrote that comment than the person who it was directed to. For this I would like to remind at least myself once again because I was on the Executive Committee myself when this issue came up. There seems to be a little bit of duplicity going here that the senior administrators don't want these comments being made public. I understand their motivation for that. However, every single person in this room is subject to the same process every single semester, and that is in the form of student evaluations. I was a long-serving department chair and I would read comments that far-and-large were wonderful comments about the instruction that went on in my department. But every once in a while you would get an outlier or a comment that was just terrible. Now, that told me more about the student writing it than who it was directed at. We do need to try to get our colleagues to provide professional comments and that is very important, but also recognition that we also expect professional position to be taken when you are reading those comments. These are one aspect of the evaluation of the dean. This is a very important aspect of evaluating the dean and central administrators, but it is not the final word. But what faculty are being held to, the student comments that we all get every single semester as my friend Samir Hefzy brought up, if you are talking about tenure and promotion, this affects professional standing of faculty members being considered for tenure and promotion—the same corresponding way are deans who are receiving these comments. If they are unprofessional, that is too bad, it really is, it's wrong, but to say they should not be subjected to that the way teaching evaluations can be viewed by anyone. In fact, they are viewed by the colleagues in my department. And if I was to go up for tenure again they would be reviewed at the different levels of review. Why are faculty held to this element of assessment? We are saying that administrators do not have a corresponding responsibility or accountability in that respect. I think it comes down to both sides have to act responsible—the people who are writing the comments, but also the people who read the comments to discern whether this is someone trying to make a constructive point regarding assessment or whether someone is just a “fat head.”

Senator Heberle: I agree with everything Senator Dowd just said. We are having a discussion about lowering ourselves to the lowest common denominator and making policy of the lowest common denominator. One, of the people who don't know how to be professional in evaluating their colleagues, which administration is our colleagues. They are people who have a lot of influence and power, but this administration is still our colleagues. Two, the people who think it is libel if their name comes up in an evaluation that gets distributed. Now, that is just not right, right? I am sorry that people here think that is libel, but it is not. I am a little stunned we are having this conversation at all. We will definitely be sinking to the lowest common denominator of what our colleagues are capable of in trying to make policy

based on that. I don't think we should do that. I think we are given them way more power over our decision making, the people who would put that kind of comment on an evaluation.

President Rouillard: Actually, if you will allow me to interject because what Senator Heberle has just said reminds me that in all of the years that I've been here and have done deans' survey evaluations, I don't remember if there was ever a cycle that resulted in what resulted the last time. Those of you who have been here longer than I or more involved in it can certainly correct me. But I don't remember anything being like what we had the last time. So the comments that Senator Heberle is making that we have a little bit more confidence in our faculty colleagues, I think is an interesting one.

Senator Keith: So I want to --well, Senator Ohlinger hasn't had a chance to speak.

Senator Ohlinger: I don't know if I have all of the facts correct here. Just one thing I want to point out that I think may make a bit of a difference here in terms of the way some of these comments or evaluations are distributed. Yes, everybody has the right to look at student evaluations of faculty, then the analogy, same thing with faculty given evaluation of the dean. But when we have student evaluations of faculty—yes, they go into people being reviewed by a superior, or by a personnel committee, or by someone that is reviewing it for a particular purpose as opposed to my student evaluation. Of course I teach, but the student evaluations don't just get distributed out in an email to all students and faculty saying, here, everybody look at to see the comments on Dr. "X." I think that is very different than being evaluated in a whole process for a particular tenure, promotion, or something like that.

President Rouillard: Well, there is still Rate My Professor out there.

Senator Heberle: But that is not an institutional response.

Senator Keith: I was the co-chair of the ad hoc committee that was asked to look at the administrative review last year. The first thing was we sent out a survey to all of the universities in Ohio that had faculty senates both public and private. Not very many actually reviewed their administrators. Of those that do, only three of them actually ask for written comments; of those three, only one actually distribute the written comments widely to the faculty. So our practices in the past have been different from our peers. I am not saying it is a good thing or a bad thing. But I think one thing that this administration likes to do is it likes to think that we're practicing good practices and that we're in-line with what others in the profession are doing. I think right now distributing them widely to the faculty in the college is out of line with what other schools are doing, good or bad.

Senator Heberle: Could it simply be that there are available and people who wish to see them can go see them instead of having to do the open record request, which I think is a good point?

President Rouillard: That can certainly be worked into the process too.

Senator Hefzy: This is another question for the legal people in the room. In one case the Faculty Senate as a whole is liable, correct?

President Rouillard: There are people who are that, yes.

Senator Hefzy: On the other hand as mentioned by my colleague, is that faculty are evaluated by committees and these committees are not liable, are they? If they are not liable, why do Faculty Senate on one hand is liable and this committee is not liable? I don't know the answer. I am just asking the question since there are legal people in the room.

President Rouillard: That is a good question. Is there anybody who would like to answer that?

Senator Dowd: I am sorry, but I couldn't hear Senator Hefzy's question.

President Rouillard: His question is that if faculty reviewing bodies are not liable for passing on comments regarding faculty up for tenure and promotion, why would Faculty Senate be liable for passing on comments in the process of the deans' evaluation?

Senator Hefzy: Yes, that is my question.

Senator Steven: I think the point is that they aren't liable, as Senator Gilchrist has been trying to illustrate, that Faculty Senate is not going to be liable. We had an issue with Prof. Humphrys and nothing came of that. I don't know if there are any examples where someone has been in faculty senate and has been liable in the country. I don't know if you have that information or not, Senator Gilchrist?

Senator Gilchrist: No, but I do have an anecdote for you though. If anyone ever asks you if you can be sued for "x"—the answer is "yes." You can be sued for anything. Could Mary have been sued? Sure. Like in the case that we have from University counsel, the University of Akron was sued. On the very first instance the judge received the papers, there was a motion to dismiss saying, this fails to state a claim on which relief could be granted and the judge granted that relief. Now, getting sued is crummy. It doesn't matter if you win at the first stage, it is still a problem, and that is real. I don't mean to belittle that. But, we can't live our lives and make policy based on the possibility that we will get sued because that would mean that we couldn't do anything, right? Again, you can get sued for "x," whatever "x" is. I don't see the concerns.

Prof. Humphrys: But I should make it clear, when I went to the outside counsel they said they felt there could be a strong case against me. So I wasn't just saying that for---

Senator Gilchrist: Now, that concerns me on the record because now we are talking about legal advice that is at odds with my understanding. Perhaps it is correct, but I would love to see something. If we are going to make policy based on a legal position, I would love a lawyer to come to us and explain that position because it certainly doesn't make sense to me. It might be correct, and I am willing to be corrected on this, but I would need to see that.

Prof. Humphrys: Just to be clear, I am not a senator and I am not trying to influence this. I just want to make sure I am really clear in what I was told. This is my firsthand personal experience with this particular situation, and that is the only thing I am saying.

Senator Ohlinger: I would agree with the point that we can't live our lives by the threat of possibly being sued, but I think that actually furthers the point that was mentioned before. Maybe releasing these just widely spread to a public forum is not a legal question really, but is it the right thing to do. I think we've seen from the past that it might not be.

Senator Dowd: One comment on that... I have done the Senate evaluations for over a decade. I have evaluated deans, multiple presidents, and God knows how many provosts over the last 10 years. There is a very important point here to me. I don't know if it is important for any other senator, but it is important to me. I know the importance of those written comments. I would hate to have anything diminish the importance of those written comments because I know the weight they carry when the Board of Trustees would read them when faculty could speak their mind. Not dealing with the unprofessional stuff that we're talking about, but write comments that they know, not just that the provost would see, but that their colleagues within their own college will become aware of situations that faculty member experienced. I have seen the importance of this. If it is just making it available, if they want to download it from the Senate webpage, that might be a reasonable solution. But, we can't diminish the importance. The

unprofessional comments, that is a separate issue. As a whole, the significance—this can't be reduced. This can't be minimized. People have to know that faculty can go through this instrument and express their concerns and express their experience with their own dean on how that dean administers the college. It is so important to have that available, whether there is mass emailing to faculty or we simply send an email to faculty saying, the results are in and they are available if you really need to see it. If that means having them make two or three clicks in order to get to it, then that is okay in my opinion. We have to make this stuff available. I have seen what it does. I have seen the impact it has.

Senator Hefzy: I think I have a very naïve problem. I understand what Senator Dowd is saying about the value of the experience, so my naïve comment could be thinking out of the box, I don't know. Can everybody who read unprofessional completely out-of-line comments...? Can these unprofessional comments be taken away from the very first beginning, completely ignored as though they did not exist? I don't know. It is a naïve question, Senator Dowd, but you have more experience.

Senator Dowd: As Senator Keith mentioned, when the most recent evaluation took place, the notion of redacting comments was brought up. Through that discussion it became clear, who were you going to put in charge of deciding which comments are offensive and which are not. It was brought up in this latest round, one individual, the dean was not named, and this person objected to the negative comments made about that person in the latest round. However, in the round previous to that, the same person was named, it wasn't a dean, and positive comments were made. So it is good for the goose, but it is not good for the gander. The problem is even if you try to find four people, two people, six people, or six "Mother Teresa's" on staff, it is very difficult because you are giving them the authority to say, you would be the great arbitrator of what is offensive and what is not. As Senator Dinnebeil said, it appears that we either have all or nothing because anywhere in the middle it is subjective. I know I couldn't do that. I wouldn't want to do that.

President Rouillard: Okay. Senator Lundquist hasn't had a chance to speak, so let's wrap-up with this comment and then return to Senator Gilchrist's motion.

Senator Lundquist: So it seems to me that if we deny ourselves the right to see any comments, we don't see the unprofessional and the unconstructive ones, but then we also do not see the constructive criticism. We don't get to see a kind of critique of what the dean is doing that could be better. So, I think I really would trust my colleagues across the university to understand how to read comments. I think we are trained almost every single day to look at a text and understand the intent behind it and what is fair and what is not. This is the 21st Century, right? Every webpage you look at have a thousand comments on it. I think we sort of know how to weed out what is useful and what is not. Why are we asking the people to evaluate our deans if we are denying ourselves the right to see the answers? That doesn't seem to me like a very good way of...

President Rouillard: Thank you. All right. So Senator Gilchrist wanted to table this discussion, correct?

Senator Gilchrist: Let me suggest alternatively since we now have had an open and enlightening discussion. I don't think there's a need to table anything. I think this discussion has been useful. So what I would like to make a *motion* on is that we instruct the Executive Committee to proceed with the implementation of the evaluation policy, which was adopted at the last Senate meeting.

Senators Wedding and Kistner: *Second.*

President Rouillard: Is there any further discussion?

Senator Keith: So I was looking at the Appendix to our Constitution and it is something in it under voting that says, “*All Faculty Senate reports to the faculty on recommendation requiring faculty action shall list the names of those senators voting, yea, nay, and abstaining, unless the vote was taken with a secret ballot or the vote was taken without polling the senators individually. The names of those Senators who endorse a minority report presented by a Senator Committee or by other members of the Faculty Senate shall appear in the minority report to the faculty.*” I am not sure if I am reading this correctly, but it seems to me that we could have a roll call vote and then there would be the opportunity for a minority report depending on which way this vote goes.

President Rouillard: Okay. Would you like to make a motion to do that?

Senator Dowd: You don’t have to. You just call one person at a time for roll.

President Rouillard: Can we ask you, Senator Templin to do the roll call then?

Senator Dowd: *Point of Order.* Given that there was already a *motion* passed by Senate, wouldn’t it have to be a second motion, not to basically reaffirm the previous? Wouldn’t there have to be a separate motion that nullifies the motion passed at the previous Senate meeting?

Senator Van Hoy: No. There’s nothing to vote on, right?

Senator Dowd: There’s nothing to vote on.

Senator Keith: Aren’t we voting yes or no?

Senator Gilchrist: I withdraw my *motion* because it was already passed.

Senator Wedding: Yes, the *motion* was already passed last time.

Senator Gilchrist: Well, I withdraw on the second motion.

Senators Wedding: I *withdraw*.

Senator Kistner: *Second.*

Senator Keith: Could I make a motion that we revisit this issue? I mean, this is what it said on the agenda.

President Rouillard: Okay, we can do that. So are you making that motion?

Senator Keith: Well, first of all, I don’t--- do we have a quorum?

President Rouillard: I believe we do have a quorum.

Senator Keith: But I think we need to know if we have a quorum.

President Rouillard: Well, we took attendance and---

Senator Keith: People have left.

President Rouillard: I am sorry?

Senator Keith: People have left and people have come, so I am not sure if we have quorum.

Senator Dowd: Call the roll.

President Rouillard: Okay, we can call roll. If you don’t mind, Senator Templin?

Senator Templin: Sure.

Senator Andreana: What are we voting on?

President Rouillard: Well, right now we are just doing a roll call to verify quorum.

Roll Call:

Andreana (present), Ariss (absent), Bailey (absent), Bigioni (absent), Bouillon (absent), Brakel (present), Chattopadhyay (present), Compora (present), Dinnebeil (present), Duggan (present), Edgington (absent), Emonds (present), Ferris (present), Frank (absent) Gibbons (present), Gibbs (present), Gilchrist (present), Giovannucci (present), Gray (present), Hall (present), Hammersley (absent), Heberle (present), Hefzy (present), Tucker-Gail (absent), Jaume (absent), Keith (present), Kistner (present), Krantz (present), Lecka-Czernik (absent), Lee (present), Longsdorf (absent), Lundquist (present), Maloney (present), Menezes (absent), Modyanov (absent), Molitor (present), Monsos (present), Murphy (absent), Niamat (present), Oberlander (present), Ohlinger (present), Ortiz (absent), Park (absent), Reeves (present), Relue (present), Rouillard (present), Said (present), Schlageter (present), Schroeder (absent), Sheldon (present), Steven (present), Taylor (present), Templin (present), Thompson-Casado (absent), Tiwari (present), Van Hoy (present), Weck-Schwarz (present), Wedding (present), Weldy (present), Woolford (absent), Kovach (absent), Dowd (present), Ahalapitiya (present), Stepkowski (absent), Zhu (present)

Senator Templin: We have a quorum—43 present.

President Rouillard: So we have a quorum. So, Senator Keith, would you repeat your motion please?

Senator Keith: I would like to make a *motion* that we reconsider the broad dissemination of the written comments; that we come up with a solution that allow people upon request to have access, but we do not sent them out in an email distribution to all of the faculty in the respected colleges.

Senators Ohlinger and Lundquist: *Second.*

President Rouillard: Is there any discussion?

Senator Gilchrist: I feel like for that motion we need clarification on the second piece, what it means for people to have access. I heard a lot of support for that idea. I heard Senator Dowd say if we can send an email to faculty in the college and hit a few clicks to get the report of the evaluations, I think we will also support that. But unless we have clarity on that, I don't think we should support this motion.

Senator Relue: Does the motion that we passed the last time specify the way that those will be distributed to the faculty?

President Rouillard: No. The amendment that was passed said that the comments would be distributed to the college faculty, the dean, and the provost.

Senator Relue: So, can we interpret the way that is done such as we make those available to people on request by putting them possibly on a one net drive for people to sign in and access if they want to see them? Does that solve the problem of not having to re-vote on this? I mean, we haven't said that we are

going to broadly broadcast these by email as part of our motion; we simply said they would be made available to the faculty in the college.

Senator Dowd: We said distributed, which means the Faculty Senate would be taking an active role in sending them out. For clarification, Senator Relue, if we made them available on the Senate webpage, would that address what your issue is?

Senator Relue: If we make them available on the Senate webpage then anybody can go to the Senate webpage and view them.

Senator Krantz: That is even more broadly.

Senator Relue: Yes, that is more broadly than us emailing the college. What I am saying is we have one drive as the university's cloud and you can make them viewable to specific email addresses. So if you make them viewable to anybody in the college then anybody in the college can go and view those comments. It is not a distribution, but it is available to everybody.

Senator Krantz: Another mechanism is an analogous to the way we conduct voting. You know, each of us has to be identified as a registered voter to be able to do the Faculty Senate votes etc.

Senator Lee: Just for clarification, I believe the motion that was passed last stated "shared with," not distributed. So if we are debating what mechanisms fall under that, the wording was "shared with."

Senator Krantz: Do we have the text available so we can see it?

President Rouillard: No, unless somebody has a printout of the November 6, 2018 meeting Minutes on them. I am sorry, I didn't bring one.

Senator Steven: I would argue that putting those comments on a drive, but making it accessible to everybody in the college is a form of distribution.

President Rouillard: Are we ready to vote?

Senator Hefzy: Could you please repeat the motion we are voting on?

President Rouillard: Senator Keith, please repeat your motion.

Senator Keith: I guess I am not following where we are in this conversation. I was not here at the last meeting, so did the motion say "distributed" or "shared?"

President Rouillard: Senator Lee, were you looking at the actual text?

Senator Lee: I was looking at the text of the survey, but now I am looking into the Minutes that were distributed.

President Rouillard: Okay, he is looking at the amendment that was made last time.

Senator Molitor: I have it.

President Rouillard: Okay, thank you.

Senator Lee: It states, "*The responses in the comment boxes will be randomized and shared verbatim with the provost, the dean, and the faculty of the college,*" that was the motion.

President Rouillard: Yes, you are right. So does that remove the need to further discuss this?

Senator Keith: Well, in light of that I think we need a different motion that actually speaks to how they will be shared.

President Rouillard: And so we can deal with that at a later time then.

Senator Dowd: Could we do it basically now? We spent an hour or so working on it today. We are all hopped up on this issue.

President Rouillard: Does somebody want to make a motion now about how the comments would be shared?

Senator Wedding: We have a *motion* on the floor and [it was] second.

Senator Keith: I *withdraw* it.

Senator Wedding: Did the *second* get withdrawn?

President Rouillard: Do you want to withdraw it, Senator Wedding?

Senator Dowd: Senator Ohlinger did.

President Rouillard: Senator Ohlinger, do you want to withdraw the *second*?

Senator Ohlinger: Yes.

President Rouillard: So that *motion* is removed. Does somebody want to make another motion regarding how the comments will be shared?

Senator Dowd: Senator Relue, do you want to formalize your comment?

Senator Relue: I *move* that comments be shared with faculty in the college through one-drive viewing privileges.

Senator Van Hoy: *Second.*

Group of Senators: It should be written as “shared drive” viewing privileges.

President Rouillard: Do you want it to be a “shared drive viewing privileges?”

Group of Senators: Yes.

Senator Molitor: It should be “a limited-access shared drive to the college faculty.”

Senator Hefzy: And add the word, “only”

President Rouillard: Senator Relue, is it okay to add the word, “only?”

Senator Relue: Let me ask something first. Are the evaluations also done by college staff?

President Rouillard: No, they are done by fulltime faculty only.

Senator Gibbons: Just point of information from assuming Senator Dowd. Is there any record of the individuals who would access this one-drive could be done anonymously?

President Rouillard: The access would have to be with the same voter identification access.

Senator Gibbons: In other words, hypothetically, if I access my dean's file and build a query and someone in the staff says, here are the following five faculty members who want to look at the file, that is my concern.

President Rouillard: Well, the query wouldn't be viewed.

Senator Gibbons: I know he literally wouldn't be, yes.

Senator Molitor: I believe there would be a record of who accessed the file. But why is this a problem?

President Rouillard: At this point, if these are public records you have the right to view them.

All right, we had a *motion* and we had a *second*. I will reread the *motion* as I understand it, made by Senator Relue: "comments shall be shared with college faculty only through a secure shared drive privilege." Is that okay? Is that correct?

Senator Gilchrist: I have some hesitance of the word, "only," given that I/we don't know the technology of it. The intent here is that one way or another, this information will be shared with the college faculty. If we determine in the next few months that there's some problem with this tech. approach, we ought to still share the information. I think we could all agree that doing it through an access to a shared drive is a great idea if it works, but I don't think we need the word "only" in there.

President Rouillard: Okay.

Senator Dowd: It is a *friendly amendment*.

President Rouillard: Okay, so we don't need to vote on it.

Senator Dinnebeil: Can we do a roll call vote for the purposes of having a minority report?

President Rouillard: If you wish, although we've already done a roll call.

Senator Dowd: If there's a roll call vote, there's a call that you [must] have a roll call vote.

President Rouillard: All right, then we will do that.

Senator Wedding: Read the *motion* one more time.

President Rouillard: Here is the *motion* one more time: "comments will be shared with the college faculty through a secure shared drive."

Senator Lundquist: So, will people be alerted to the fact that they can go and view them?

President Rouillard: Yes, we will send out an email to do that.

Senator Andreana: If this motion does not pass, what is the option?

Senator Dowd: They will be distributed. Well, actually it is up to the Executive Committee.

President Rouillard: The word in the amendment passed last Senate meeting was that the comments would be shared. All right, we will proceed with the roll call vote.

Senator Ahalapitiya: This would be public through a public record request, right?

President Rouillard: Yes, through a public record request. Anybody can come and request these under the Ohio Freedom of Information.

Senator Molitor: To address Senator Lundquist's comment, in order to access the share you have to email a link to the appropriate faculty.

President Rouillard: I guess we would use the same process that we use when we alert people that their eligible to vote.

Senator Molitor: Exactly, instead of an attachment there would be a link to access the file.

President Rouillard: Okay, roll call vote.

Roll Call Vote:

Andreana (Nay), Ariss (absent), Bailey (absent), Bigioni (absent), Bouillon (absent), Brakel (Nay), Chattopadhyay (Nay), Compura (Nay), Dinnebeil (Nay), Duggan (absent), Edgington (absent), Emonds (Nay), Ferris (Nay), Frank (absent), Gibbons (Nay), Gibbs (Yea), Gilchrist (Nay), Giovannucci (Yea), Gray (absent), Hall (Nay), Hammersley (absent), Heberle (Yea), Hefzy (Yea), Tucker-Gail (absent), Juame (Nay), Keith (Yea), Kistner (Nay), Krantz (Yea), Lecka-Czernik (absent), Lee (Yea), Longsdorf (absent), Lundquist (Yea), Maloney (Yea), Menezes (absent), Modyanov (absent), Molitor (Yea), Monsos (Yea), Murphy (absent), Niamat (Abstain), Oberlander (Yea), Ohlinger (Yea), Ortiz (absent), Park (absent), Reeves (Yea), Relue (Yea), Rouillard (Yea), Said (Yea), Schlageter (Yea), Schroeder (absent), Sheldon (Yea), Steven (Yea), Taylor (Yea), Templin (Yea), Thompson-Casado (absent), Tiwari (Abstain), Van Hoy (Yea), Weck-Schwarz (Yea), Wedding (Nay), Weldy (Yea), Woolford (absent), Kovach (absent), Dowd (Yea), Ahalapitiya (Nay), Stepkowski (absent), Zhu (Nay)

Senator Templin: 26-Yes; 15-No; and 2-Abstains. **Motion Passed.** The motion is as follows: *"Comments will be shared with the college faculty through a secure shared drive."*

Senator Hefzy: Can you answer my question in one second? Where do we go from now?

President Rouillard: We do the survey and we have a process for how we will report the results.

Senator Hefzy: To everybody in the university?

President Rouillard: The statistical summaries will go to everyone in the college, and the dean, and the provost. The comments will be placed on a secure shared drive for college faculty of that being.

Senator Hefzy: To college faculty only?

President Rouillard: Yes.

Senator Hefzy: Okay.

President Rouillard: All right, very good. Thank you very much for a very thoughtful discussion. Now, it is my privilege to introduce to you one of our newest deans that we are welcoming to this campus, Dr. Raymond Witte, who is the new Dean of the Judith Herb College of Education. He is coming to us most recently from the Miami University.

Dean Witte: That is correct.

President Rouillard: So this is an opportunity for you to tell us your first impressions of the University of Toledo Campus, now that you set through 30 minutes of our discussion.

Dean Witte: Thank you, President Rouillard. I only have to ask my first question. Am I the only thing standing in front of you in getting home?

Group of Senators: Yes.

Dean Witte: It is good to know. I will do my 30-60 second routine and hopefully, I will address most of the main questions that you have. First, I have some semblance of what you were just doing. I appreciate the time, the devotion, and the interest of back and forth because that is important. So I am impressed. Even as a Dean, I was obviously kind of huddling over here [laughter], but I appreciate the energy that went into that.

I am into my fourth month now. I tell everyone it is like drinking from a firehose, I am well hydrated. I am trying to understand how everything works and I am starting to get a little sense of how the college works. I couldn't be happier to be here. I think we have a lot to do, but I will say that for the university because this is a dynamic place. I mean, I know you guys are inside the bubble from the outside. I can say that because I have been from the outside looking, and it is impressive, it is interesting, it is innovative, and it is what everyone was kind of talking about. I think a lot of it has to do with the administration that is here. I think a lot of it has to do with the individuals that have been here. I have been fortunate to work with a number of individuals when I was in Miami in collaboration with Toledo. I have always found that collaboration to be strong. I have always been impressed with the individuals that I've worked with, both administration and faculty, and obviously now that I am here, I am finding out that it is everywhere and so that is a wonderful thing for us. For the college, we have some crucial issues that we have to address such as enrollment and retention, which are number one, staring us right in the face. That is not surprising. The national trend in regards to education is number two. We just need to have a better mechanism by which to reach out because this is a hidden gem. I mean, what I find my faculty doing, reaching out and connecting with partnership school systems and community agencies, that is topnotch, that is what should be happening. I think we need to communicate that much better. It is working because we have a shrinking sample, sort of speak, to draw from and to pull students into education. We have to face a lot of issues in the sense of accreditation. We have to be very clean and lean, sort of speak, because our competitors are doing just that. We offer the same licensures that they do, so if they offer it with 125 hours and we are 130 or more, that puts us at a disadvantage. So we have to be smart about what we do and how we do it and that is where we need to communicate throughout the process of finding the best way to do it or revamp it. So that is a conversation that I hope to have to continue both for undergraduate programs as well as our graduate. I don't know how much you know about the college—we are pretty evenly balanced, which is quite unusual for a School of Education. We have almost as many graduate students as we do undergraduates. Usually, what I've found in my experience is a ratio of 2:1 or 3:1 in favor of undergraduate vs. graduate. So, we are unique in that aspect. I like that because we can take care of anyone. I mean, we literally should be able to take care of anyone in regards to their professional educational career. So thank you for allowing me to speak to you all. I will stop because you have that look like I am ready to go [laughter], and there are many more you than me, so I am clearly recognizing the authority here [laughter]. Please, if you are in the college, you are wonderful and if you are not in our college, you are always welcome to come visit our college. Hopefully, that extension and invitation will go for yours because I am finding that I learn as much outside the classroom and outside the building as I do inside. A lot of people are doing some wonderful things; I kind of learned from the smart people around you and that is what I am doing. Thank you very much.

[Applause]

President Rouillard: Are there any questions for Dean Witte?

Senator Dowd: I just like to ask this question every time a dean comes to Faculty Senate is that, are there any initiatives or any sort of projects that Faculty Senate can look forward to hear about?

Dean Witte: Well, I would be lying if I said I've got this "brand spanking-new" vision that we're kind of launching and it is all good to go. Now, I think I will in a short amount of time, but I quite honestly need to consult and collaborate with the faculty to get their input because as you know, nothing good is going to happen if you don't have the overall support of everyone. Right now I listen more than I talk because I learn more when I do that, then hopefully, I will be able to come back.

Senator Dowd: Thank you.

Dean Witte: Well, I am trying to figure out what is really going to work best for us. And right now, it is really trying to get to know the faculty, the college, and how we kind of connect more of the dots because I think we have good things, but I just don't think they are all meshed as well as they could be to really kind of make us to shine the way that we need to.

President Rouillard: Well, if you would join me in welcoming Dean Witte.

[Applause]

President Rouillard cont'd: Are there any items from the floor? Any announcements? May I have a motion to adjourn? Meeting adjourned at 5:40 p.m.

IV. Meeting adjourned at 5:40 p.m.

Respectfully submitted,
Mark Templin
Faculty Senate Executive Secretary

Tape summary: Quinetta Hubbard
Faculty Senate Office Administrative Secretary