

**THE UNIVERSITY OF TOLEDO**  
**Minutes of the Faculty Senate Meeting of April 14, 2015**  
**FACULTY SENATE**

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

Approved @ F.S. meeting on 9/29/2015

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**Summary of Senate Business**

Dave Morlock- CEO UTMC, Presidential Transition Update

Alana Malik- University Assessment Director, Assessment Update Report

Karen Hoblet, President Faculty Senate, Lost FBI Records- Preliminary Findings from Dave Cutri,  
Internal Audit

Martin Ohlinger, Chairperson, Academic Programs Report

Sharon Barnes, Chairperson, Undergraduate Curriculum Report

Celia Regimbal, Chairperson, Committee of Academic Regulations Report

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**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 thirteenth Faculty Senate meeting of AY 2014-2015. **Lucy Duhon**, Executive Secretary, called the roll.

***I. Roll Call: 2014-2015 Senators:***

**Present:** Bailey, Barnes, Brakel, Brickman, Burnett, Caruso, Compora, Denyer, Dowd, Duhon, Edinger, Edwards, Federman, Franchetti, Gray, Gunning, Hoblet, Hasaan-Elnaby, Humphrys, Keith, Kennedy, Kistner, Krantz, Lee, Molitor, Monsos, Nathan, Nigem, Ohlinger, Plenefisch, Porter, Prior, Quinlan, Relue, Rouillard, Schafer, Sheldon, Slantcheva-Durst, Springman, Srinivasan, G. Thompson, Thompson-Casado, Van Hoy, Weck-Schwarz, Wedding, Denis White, Donald White, Williams

**Excused absences:** Cappelletty, Duggan, Elmer, Farrell, Gohara, Malhotra Teclehaimanot, A. Thompson

**Unexcused absences:** Black, Boardley, Crist, Devabhaktuni, Giovannucci, Harmych, Lundquist, McAfee, Quinn, Skeel

***III. Approval of Minutes:*** Minutes from Faculty Senate meeting held on March 3<sup>rd</sup>.

Academic Year 2014-2015. I ask that Executive Secretary, Lucy Duhon come to the podium to call the roll.

**President Hoblet:** I would like to call the April 14<sup>th</sup>, 2015 Faculty Senate meeting to order.

Welcome everyone. Before we get into the business, we rearranged the furniture and I would like all faculty senators to come up front. We are going to have the CEO of UTMC take a picture of us. This is for the final resolution that we will be presenting to Interim President Nagi Naganathan and Interim Provost Barrett at the end of this academic year. Hopefully, I can get an approval from Nagi after we present the resolution, to get the resolution picture framed for the both of them. Everyone please come forward and gather around the podium for the picture.

[Senate's photographic picture was taken]

**President Hoblet cont'd:** The Executive Committee report: The Faculty Senate continues to work to determine ways to create processes through efficient and effective communication with the UT community members. We will be contacting the chairperson of each committee requesting that they meet with committee members prior to the end of the year to determine several layouts. One, the general role of the committee, is it aligned with the statement within the Faculty Senate Constitution? Two, committee member aspiration, determine if they or other faculty from their colleges would like to serve on their committee for the upcoming academic year. Three, what was completed? Four, what work is still to be done? I will also be arranging a meeting with all chairs from this year's Faculty Senate committees so that we, Faculty Senate Executive Committee, can gain perspective regarding recognition of what and how work can be done more effectively, and how to accomplish the work of Senate in off-contract months. Faculty Senate will then construct a folder for each of the new committee chairpersons from Faculty Senate committees' academic year 2015 and 2016- this will provide a guide for their work for the upcoming academic year. It is Faculty Senate Executive Committee's hope that if we create processes to improve efficiencies that we can address processes and issues of concern to strengthen the UT community.

There have been some glitches currently with the College of Graduate Study's dean evaluation. Senator Mike Dowd has been working so hard on these deans' evaluations. I can't tell you what he's gone through, but what I can say, it has been much appreciated. I can tell you, and report to Senate, that I have received my evaluation for the CON's dean at 1:35 p.m. today. Thank you, again.

**Senator Dowd:** May I make a remark?

**President Hoblet:** A little one.

**Senator Dowd:** We experienced problems trying to have the Senate office send emails to faculty using lists provided by colleges. So over the last couple of weeks Quinetta and I set up a process that Senate can follow next year; IT will build college-level distribution lists for Faculty Senate so we can avoid any such problems in the future.

**President Hoblet:** I hope Quinetta caught it and reported it. She is on a "marathon" Minute review, which I was remiss—I forgot; it's on the Faculty Senate Executive Committee report- you all received the draft of the March 3, 2015 meeting Minutes. Do I have additions and/or corrections from those Minutes?

**Senator Williams:** Two typos and I forwarded them to Quinetta.

**President Hoblet:** So there are two typos, are there any other corrections? Do I have a motion to approve those Minutes? Second? All in favor of approving the Minutes please signify by saying, "aye." Any opposed? Any abstentions? *Motion Approved.*

I want to share that I've been asked to participate on a committee to address the Ohio State Representative Stiver's bill that was passed just recently in the House of Representatives. This will impact the university, which is being required to submit to the Ohio Board of Regents in the beginning of September this year- our plan on reducing student out-of-pocket expenses by 5%. So, we met as a group and I can forward the Minutes; I will provide a list of the persons that are on this committee so that it is public information for

all senators. Basically, most of the suggestions that were offered by this group were a reduction from the academic enterprise. I took back this list of suggestions to the Faculty Senate Executive Committee and we compiled a more comprehensive list. Some of the recommendations that we made included: (1.) commit unused dorm space for an athletic dorm so our athletes do not have to spend money to stay in a hotel the night before all games. (2.) include the decision in the vote by the MAC conference which we participate in. (3.) all of our student athletes should be increased to full student scholarships, which should also be included into the calculation. (4.) have top administration consider a 5% across-the-board reduction. (5.) we negotiate decreases in text book cost of publishers and now our publishers then work with Barnes and Noble to assure these reductions are transferred to our UT students. The Faculty Senate is asking you to appreciate this plan/ this request. If you have suggestions, please let any of us know. We will compile a list also to go back to the committees. I have to share this time that I was very disappointed that after asking for a report from the administration on the report on the Title IV consultation visit, that information was released on UT News before someone could come and report it to the Faculty Senate.

It's been a very productive year, but we never accomplished all what needs to get done. As always, I want to thank you all for your time, energy, and commitment to the faculty, the students, and the UT community. I am proud to be a part of this great faculty and it's been an honor and privilege to work with each of you. I may or may not be here for your last Senate meeting; my husband is having surgery that same day; if he's out of recovery and in his hospital bed with lots of "drugs" on board I will be over to Health Ed. as soon as I can, but if not, I know we are in capable hands with President-Elect Kristen Keith presiding over the meeting and a great Faculty Senate Executive Committee that really have been wonderful to work with. I also want to remind you to please revise your agenda to reflect that Alana Haman will not be able to attend to give her report today because she has an ill daughter at home who is running a temperature. Also, I want you to revise your agenda, I did not know before I sent this out to Quinetta on Friday that Peter Papadimos, Vice President and General Counsel will be presenting a report on the Title IX consultation at UT. At this time I would like to introduce Dave Morlock, the CEO at UTMC and our "photographer." Please welcome him. He's going to give us an update on our new president and her transition. Welcome, Mr. Morlock.

**Mr. Morlock:** Thank you. You did get the slides, right? Are they here?

**President Hoblet:** I hope so.

**Senator Dowd:** Mr. Morlock, which slides are you referring to?

[PowerPoint unavailable at the time of the meeting] [PowerPoint attached hereto]

**Mr. Morlock:** I am going to "dive in" and "wing it." You all know Dr. Gaber is joining our university on July 1<sup>st</sup> as our 17<sup>th</sup> president of The University of Toledo. She is at this time still discharging her role as Provost at the University of Arkansas. Over the course of the next two-and-a-half months, she will be visiting our campus, right now scheduled four times. The grand total across those four visits will add up to about seven to eight business days. It is not the simplest trip from Fayetteville, Arkansas to Toledo, Ohio; as it turns out, there are four direct flights per day between those two towns. Her first visit will actually be Sunday, fairly late. There's another visit next week, late April, I think the 30<sup>th</sup>, then May 1<sup>st</sup> and then two visits later in May. We don't have any dates pinned down in June. She will likely be moving to Toledo, ballpark, June 15<sup>th</sup>. So there will be some June dates that will be added on. Dr. Gaber in those

visits will be meeting with a variety of constituents. I am going to read from one of the slides- this is who she is trying to meet with: The Faculty Senate Executive Committee, I think that is slated for Tuesday, noon to 1:30 p.m., around that time frame. She's also going to meet with the Graduate Council Executive Committee, the Research Council Executive Committee, the deans of all our colleges, ideally in a one-on-one setting. Like I said, she's got some fairly limited time so it might be some two-on-one settings as well. The point is, it won't be like a big group; we will try to be one-on-one with smaller groups. The vice presidents- the same kind of thing- ideally, one-on-one, but it could be groups of two or three. She is going to spend some time with Nagi, not as "the Dean of Engineering," but in his interim presidential role. She's also going to meet with student leaders, Board of Trustees, and major donors to the extent that we can pin some major donors down. There will likely be some media things, another visit with the *Blade*. I don't know if you saw there was an article a couple of weeks ago where the *Blade* editorial staff interviewed her. I think the TV stations want to do some short interviews with her and then a local business leader round table which is sort of a large group "thing" that we are trying to put together. What I just laid out is approximately the priority order that we are trying to get stuff scheduled. The point being, Faculty Senate, Grad Council, Research Council, and deans etc. – we're trying to make sure we get those folks checked off the list before community business leaders, donors, and that kind of thing. The point of the meetings is to meet and greet to get to know people and to hear perspectives on issues; it is not to implement policy change before she shows up in July 1, so I want to be clear about that. If for some reason, you or your dean doesn't get a chance to meet with Dr. Gaber during these few visits that she's making, it is not the end of the world, right? Stakes won't be carved into the ground before voices are heard- that is a critical thing that I want to get across to you. The most important slide is a set of Dr. Gaber's priorities for the university. I apologize, I may "butcher" this because I am trying to ramble it off the top of my head. It is about a half-dozen and it will be in what I emailed you, President Hoblet. Dr. Gaber has some key priorities: She wants to grow enrollment. She wants to grow research. She wants to reduce administrative costs. She wants to improve graduation rates and retention rates. And I feel that I am missing one, and I apologize because I am missing one.

**Unknown Speaker:** Is it ranking?

**Mr. Morlock:** No. She doesn't want to chase rankings.

**President Hoblet:** Is it enrollment?

**Mr. Morlock:** If I didn't say enrollment then enrollment. Oh, I know what the one is- it is not ranking, but it is the prominence and value of the brand and brand recognition across the country. Only those things if they improve will likely impact ranking. She is careful to say, I am not just chasing "*U. S. News and World Report* rankings," but she wants to improve a number of things and those things tend to impact ranking. Are there any questions?

**Senator Edwards:** When will Dr. Gaber sign a contract?

**Mr. Morlock:** I don't know. President Hoblet introduced me as the CEO of the hospital and I also still have a VP in an administration role, but the Board is working with Dr. Gaber and an attorney from the Attorney General's Office and Dr. Gaber's attorney, so I am not in the middle of the process. I know she is safe. She's agreed to the term sheet- it is like the one pager that lists the important stuff. She has agreed

and shaken hands on that stuff, but I don't know where the actual context is. Good question. Are there any other questions?

**Senator Welch:** Will she be living in the President's House?

**Mr. Morlock:** Yes. The Foundation has actually been working for several years on a rethink of the President's House and a redo, so I believe the Foundation is close to acquiring different property and then selling Levis. So the Foundation owns Levis House and so let me be clear, there is no public funding involved in this one way or the other. I also want to be clear that this has been something that the Foundation has been talking about for a number of years, so this is not a "Dr. Gaber came in and said, you want me to live there?" No. So it is separable, but I do understand the timing that one would connect the dots. Likely, she would be in a different house that the Foundation owns. I think this is part of Dr. Jacobs' severance or exit deal, that he has the ability to live in the Levis House through the end of June (I am going off the top of my head, I see a lot of people nodding). She is not going to move in and drop a few boxes on Dr. Jacobs if that is what you're thinking.

**Past-President Rouillard:** I think I would like to take this opportunity to ask that the UT-AAUP have an opportunity to meet with her as well during these upcoming visits.

**Mr. Morlock:** Okay. Is that like an Executive Committee?

**Past-President Rouillard:** Yes. We can have some board members meet with her in the interest of creating a better relationship between faculty and administration; I think it might be productive if we have the opportunity to meet with her as well.

**Mr. Morlock:** All right. I will take that back to her with that recommendation.

**Senator Edwards:** Just a quick follow-up on that discussion regarding the President's House and the Foundation.

**Mr. Morlock:** Okay.

**Senator Edwards:** Will it be in the City of Toledo or will that be under consideration?

**Mr. Morlock:** It will be either in the City of Toledo or Ottawa Hills, so it is not like a Perrysburg or a Maumee "kind of thing."

**Senator Keith:** I just want to say that I was at a presentation at the BOT Finance and Audit Committee when they did a presentation about the Levis House and they suggested that they wanted it [the president's house] to stay in Ottawa Hills.

**Mr. Morlock:** Yes. I believe they have not closed on a property. The last two I heard of, one was in Toledo and one was in Ottawa Hills. Are there any other questions? No. Thank you.

**President Hoblet:** Thank you, Mr. Morlock. Next, David Cutri could not be here today, so he sent his report to me. I asked David Cutri to come and give us a preliminary report and this is preliminary findings from his beginning investigation of the College of Nursing:

**Faculty Senate Executive Committee Update: 4/14/2015**

**RE: College of Nursing FBI/BCI Fingerprint Records**

In response to an email from the University of Toledo College Of Nursing Faculty Affairs Committee regarding the disappearances/inability to locate FBI/BCI fingerprint checks previously performed on College Of Nursing faculty, the UT Internal Audit and Compliance department was asked by General Counsel and the Interim Provost to look into what happened to the fingerprints checks, whether the University processes/policies were followed and whether there are recommendations to ensure this does not occur in the future should the fingerprints checks not be found.

Faculty Senate President, Dr. Hoblet subsequently asked the Director of Internal Audit and Chief Compliance Officer, David Cutri to provide an update on his finding at today's Faculty Senate Executive Committee meeting. Since this review is currently in progress and David is out of town this week, this status report is being provided, until such time as the review is formally completed. The Faculty Senate President will receive a copy of the final report.

**Please note that this review is in progress, and that all observations made thus far are preliminary and could be subject to change based on subsequent findings.** As such, please consider the contents of this status report in this light.

Below is an update of the topics I believe would be of interest to the Faculty Senate Executive Committee:

Are there College Of Nursing FBI/BCI fingerprints check records that cannot currently be accounted for?

Yes. Most of these records appear to be from the fingerprint checks that were conducted in the past month.

What is the University doing to locate these records?

The search process is currently underway. The FBI/BCI fingerprinting process is such that the results are sent to the person(s) requesting the check. Over time, when the paperwork requesting the fingerprints checks were prepared, the names of the persons to whom the results were to be sent were inconsistently completed by requesting the individual, leading to these reports not being sent to one central point or contact, and these reports not being centrally filed. This, coupled with leadership changes that have occurred in the College, has led to the current situation.

Why are these fingerprints checks necessary?

These fingerprint checks are necessary due to the nature of interaction of the College Of Nursing faculty with the general public, which include access to Protected Health Information and delivery of care to at risk populations. These FBI/BCI checks are required if supervising faculty on the health science campus, accrediting bodies, and clinical affiliation agreements with clinical agencies providing clinical experiences for UT College of Nursing students.

**President Hoblet cont'd:** When I went through this report there were a number of inaccuracies, but that's to be absolutely considered depending on the person or persons that he gets the information from. So, he has not talked to several members, because I checked, and I know the Faculty Senate investigation is parallel to his investigation, and they've talked to different people than Mr. Cutri has talked to. So, so far---

**Senator Dowd:** Pardon me.

**President Hoblet:** Yes.

**Senator Dowd:** Can I make a suggestion?

**President Hoblet:** Sure.

**Senator Dowd:** President Hoblet, would you be willing to provide a brief overview of this issue for the sake of our Minutes?

**President Hoblet:** Yes. The overview of the issue is there were lost FBI background checks from faculty in the College of Nursing.

**Unknown Speaker:** And medical records.

**President Hoblet:** Yes, and medical records. The issue with that is that all medical information is covered under HIPAA- it is healthcare information that should not be shared with anybody, it is confidential information. So depending on the year when faculty like myself got our background check, the information that is printed out on those reports is very different. Like when I came to the college, my FBI background check would've had Karen Linda (Minors) Hoblet with my maiden name in parentheses. It had my full social security number. It had my parents' names on it, and the county in which I was born, and then it reports any information there, which I am pleased to say there was none, although I do look good in stripes and numbers<laughter>. But my concern along with faculty in the College of Nursing is everything was present in some of the older FBI background checks to take my identity easily, and so I will be watching that. I think another concern of the faculty in the College of Nursing was that when we asked when the records were lost, and what date they were discovered to be missing, we got the answer that "I have no information to share." Who do we go to, to find out about who's looking into this? "I don't know." When are we supposed to get notification that our records are missing, that personal protected information is gone? "I don't know; I have no information." With those answers from our dean in the College of Nursing cabinet meeting - we have a College of Nursing cabinet which has all the chairs of the governance committees, whether it's our ARPT Committee for promotion and tenure, or whether it is our student admission promotion and tenure, or whether it is our grievance, or our Diversity Committee, or our Faculty Affairs Committee- all of those chairs meet with the dean and the administrative team once a month. And at that meeting is where all these answers were stated, "I don't know. I don't know. I have no information." So, our Faculty Affairs Committee sent a request to Provost Barrett and to Pete Papadimos about, who does know? We have these missing records, health care information, and FBI background checks and this is the response we've gotten, who can we talk to get some answers? And unfortunately, John Barrett was the initial person and he sent it off to Pete Papadimos and didn't understand that we didn't get a response. Eventually things started getting moving after multiple requests, but we still have not received one bit of notification from the university about these lost records saying, "Karen Hoblet, this is to notify you; your FBI background check has been lost and all the health information in your file."

**Past-President Rouillard:** President Hoblet, what date did you start asking questions about where these records were?

**President Hoblet:** We started asking questions and this is sort of the desire things that we hope the investigation will reveal. We first got notified in the Fall that we had to "redo" our FBI background checks. We said, "that's weird, why do we have to redo our background checks, I had one done?" We asked on the floor of what we call our council in our college that is called, Faculty Assembly, and the answer was, "well, it is required for accreditation."

**Unknown Speaker:** Oh, wow.

**President Hoblet:** It was like, "we've never heard that before." Of course you know nurses are really detail-oriented people, so we all looked it up and there's no requirement by our accrediting bodies or the

State Board of Nursing, other than when you graduate and before you take the N-CLEX, which is our national test, that you're not at fault. We brought it back and said, "we checked and that is just not the case" and we didn't get a response after that. So nothing more was said and we didn't push it; we didn't know they were lost. No one ever said they were lost until this Spring when they said, "well, we can't find all the records. So what we've done is arrange four days for all the faculty to go in and retake their FBI background checks and if you can't be there in one of these four days, then you will have to pay the \$60.00 yourself." That is when we said, "well, why do we have to redo them, were they lost?" and we heard, "yes, we cannot find them." So, it was at the February assembly meeting when we got a straight answer and that is when we began asking for the details. That is the whole background to these missing background checks. I feel like it's a "Nancy Drew" novel. It is pretty straightforward, records are missing; they weren't managed well, at least in a way to guarantee they didn't go missing and we have to correct it. So it is no big "to do," it's "let's do the right thing." And we still have not gotten good answers about that. David Cutri is doing an internal audit and we have a group, a taskforce from Faculty Senate that's doing their parallel investigation and between the two we will have at least the answers to "we don't know, we don't know, and we don't know."

**Associate Dean Pollauf:** So you probably don't know, but are you the only group of faculty affected by this in the state, or are there like 200 other nurses in Ohio who had their records lost?

**President Hoblet:** We haven't investigated all the other colleges or schools of nursing, but to our knowledge, the nurses at the University of Toledo College of Nursing records are the only ones lost.

**Senator Relue:** Where do these records normally live? How were they normally secured? Are you supposed to have them in access? Why were they taken out en masse?

**President Hoblet:** Our questions exactly, Senator Relue. My understanding is, in most colleges of nursing the records are maintained in the dean's office in a locked cabinet just like we would if we're doing research. The records are maintained in a locked cabinet in a room with a locked door that when unoccupied it is secured. Now I know there is a records management policy here at the University of Toledo and it says exactly what to do.

**Senator Quinlan:** Health records should not be kept in the dean's office. We were told that they were in HR when we went for our mandatory physical examinations. We challenged that policy, why do we, the RNs in the hospital, have to have a physical examination? And he assured us that the records were kept in our physician's office. Then we were sent via email that stated "you are fit for duty" which was also sent to his executive secretary.

**Senator Federman:** That is definitely wrong because I was the doctor for the years that we did it, I filled out the paperwork. There was very specific college information asked because that is what they requested, so that's number one. And number two, if you step back for a second, there's a very specific reporting issue – that we have to be independent on this investigation. If there's a healthcare data breach you should be informed as individuals if there's enough people involved; there are specific rules whether that needs to be public, printed in a newspaper, etc. to seek out the people that are involved. The same thing goes to the other personal data breach which occurred- if you look at what Target, Wal-Mart, and Home Depot did, they published and that should be happening in parallel to whatever we are doing to look at this, but that doesn't sound like that happened yet.

**President Hoblet:** That is correct, Senator Federman. And we do know that, but we are waiting for our employer, our university, to actually do that and comply with those requirements.

**Senator Molitor:** A question in response to that. Does HIPAA apply because they are employees and not patients?

**Senator Federman:** It is a health data breach; it is personal health information, so I believe it does.

**Senator Molitor:** And a follow-up is, when there's a credit card breach you receive free credit monitoring to make sure nobody steals your identity or that kind of thing. Is the university planning to do this if they determine the records are lost?

**President Hoblet:** I can honestly say, I have taken this from my leadership, "I have no information."

**Associate Dean Pollauf:** Are they doubly lost? Does the FBI not have a copy and we don't have our copy, or have we just lost our copy?

**President Hoblet:** We do not have our copy, and we don't know if the FBI can resubmit our original copy, so that's being questioned as well.

**Senator Dowd:** Has anyone asked the dean of the college for the reason or rationale he pulled the records? Why were they gathered? Was the dean creating lists or categorizing faculty? Were the files being reviewed for particular university information or actions? Prior to the merger there was an incident at the "old" UT where a dean created a faculty list for less than admirable reasons. Has anyone addressed the issue of motivation? Why were the records gathered?

**President Hoblet:** We asked *why* when they noticed the records were missing. We also asked what information was being compiled, that they went into those files to recognize that they were missing, I don't have that information.

**Senator Dowd:** That was their response?

**President Hoblet:** Yes, "I do not have that information; I have no information."

**Senator Dowd:** Pardon me, but for the sake of our Minutes, was that the response from the dean of your college?

**President Hoblet:** Yes, that was from the dean of our college. So I am not sure.

**Unknown Speaker:** Wow!

**Senator Lee:** The statement that I want to make is that I respect the process that is going to unfold, and the investigations that are occurring to examine what went wrong and why; it creates solutions and all of that. I know we did a report on behalf of our faculty members to state a concern that we as faculty did not get a communication from our dean that said, "here is the problem, and I am sorry that it happened, but here is what's going on etc. and I offer my diligence and my regard to you as this unfolds." To me, that is the bottom-line.

**President Hoblet:** Thank you, Senator Lee; I couldn't agree more.

**Senator Humphrys:** I watch a lot of those CSI television shows, so I kind of consider myself an “expert” <laughter>. But, is there anybody alive today that knew and could identify that this is the file cabinet where those documents were?

**President Hoblet:** Yes there is.

**Senator Humphrys:** I also have a follow-up. It seems to me that if people could identify where the documents were and it doesn't look like the cabinet has been broken into then they must have been purposely moved? I am just trying to figure it out. Is campus police involved in this?

**President Hoblet:** That's a very interesting question and hopefully when Dave Cutri gets to his final steps of events or our taskforce does, maybe we will know then. I don't think anybody here has been privileged to enter into the office where we know the records were maintained to examine if there were “scratch marks” on the file cabinet <laughter>. We know there were keys. We know the keys were given to a person. We know that we have at least anecdotal evidence that the records were there prior to the transition of the keys to another person, and the exit of one person from that office, and the key hand-off to the next person. But after the hand-off, - “poof,” we don't know.

**Senator Lee:** I would like the taskforce, whoever they are, to review the Minutes from our leadership—there was a statement asking if those records may be here or there. I believe the Provost Office— I don't watch CSI, I watch Paul Midlife <laughter>.

**President Hoblet:** Thank you. So, with that I just wanted to share David Cutri's preliminary report. It has a number of inaccuracies, but it is preliminary-natured. This reads exactly like information that he would've obtained from the dean of the college and the information that others had been provided by the dean. We are going to enter this into the Faculty Senate Minutes and this Fall I am sure we will not have a final report and a determination, but we will have a follow-up this Fall when president-elect Keith takes over.

**Senator Keith:** I want to ask a question. When I read this it seems to focus on fingerprints and it doesn't include all the things that I heard you discuss.

**President Hoblet:** No mention.

**Senator Dowd:** I want to ask a question or make a suggestion for the preparation of that report. Are there individuals that we could ask David Cutri to contact—to talk to—who he has not yet spoken to?

**President Hoblet:** Yes, Senator Dowd, we will ask. Actually, it is helpful to get a preliminary report like this because then I can send it out to everyone in the College of Nursing and we can compile a list of questions that the College of Nursing faculty have. It's in the Faculty Senate Minutes, and if any of you come up with brilliance, please let us know and we will include that. There are a number of people who need to be contacted during this investigation.

**Senator Relue:** Well, in looking at what needs to be done, there isn't anything that addresses the failure of the process, it is only, “how do we recreate records?”

**President Hoblet:** Yes, there is no analysis on how this happened, and that is one of my feelings when I looked at this, is, if we don't figure out what happened, then we can't assure that it will not happen again.

And it is not to point fingers at anybody, it's just to make sure we have quality processes here at the University of Toledo. It's only one record, but we have many, hundreds, probably thousands of records. Thank you very much.

Next, with that, I am going to ask Senator Martin Ohlinger, Chairperson of Academic Programs to provide us with his report.

**Senator Ohlinger:** Good evening. My name is Martin Ohlinger; I am the Chair of the Academic Programs Committee. I want to do this part first before I forget- I just want to say thanks to committee members, for a lot of hard work, and a lot of late evenings, especially over the last couple months. Thank you very much for your hard work.

We have several proposals, one new program proposal and the rest are program modifications that I am here to ask for your approval on, that the committee approved unanimously. There's one new program proposal that we're bringing forward for discussion and there's questions about that. This is actually the Minutes from yesterday's meeting. The new program is from Communications and there are multiple program modifications which are shown here. These were all voted on by the committee for approval. Is there any discussion regarding any of these modifications of new program proposals?

**Senator Molitor:** Once again, could you remind us what is the rationale for discontinuing the Athletic Training Programs?

**Senator Ohlinger:** Yes. Thank you. This program for discontinuation, Athletic Training, was tabled at a previous meeting because we wanted more information about the rationale. Both Debra Boardley from Health Sciences and Sarah Long, who were the instructors for the Athletic Training Program, attended the meeting. They indicated that not only there's a demand for this, but there are new accreditation standards which are forthcoming. The expectation is the Masters' Program will be the entry level college degree and the undergraduate program will no longer be an accrediting program. The floor is open for discussion. Again, we recommend approval for this, so all in favor, please signify by saying, "aye." Any opposed? Any abstentions? Thank you very much. *Motion Passed.*

There is just one question I wanted to pass along; it didn't concern the content modification itself, but with the modification here you can see astronomy physics and physics were changed, so, Math 3860 has been changed to Math 2860. One of our committee members raised a good point- this probably affects other programs as well to have in their program requirements, Math 3860 or a certain number of hours of math at a 3000 level or above - so if you can take that back to your departments and programs to see if that applies-- because they will have to go through a program modification for that.

**Senator Molitor:** In response to that, I did a search for all the programs that require Math 3860 and there were the two programs in Natural Sciences and Mathematics. The remaining programs in Engineering have already been modified.

**Senator Ohlinger:** Hopefully, that was resolved already. Thank you.

**Past-President Rouillard:** Senator Ohlinger, I just wanted to thank you and your committee for the confusion that happened with the French minor and major ---

**Senator Ohlinger:** Thank you for the “confusion”? <laughter>.

**Past-President Rouillard:** Thank you for dealing with the confusion. I just want for a point of information for other people- apparently, what happened is that I entered the information for the major changes, but there was no button for the minor, so I went in and did the minor again, and apparently it wiped out everything for the major. The point of information, I think we minimized some of the confusion because we had screenshots and I recommend everybody who is using the curriculum tracking system to take screenshots of whatever you submit, and again, I thank your committee for doing that.

**Senator Ohlinger:** You are very welcome. Actually, that does raise another good point; it is possible, and I tried to keep in touch with Quinetta in the Faculty Senate Office regarding proposals and program modifications. For the most part, we’ve been in close touch and I believe we’ve gotten everything, we’ve certainly gotten everything up to this point from the curriculum tracking system online, but it is possible that we could’ve missed something. If anybody is aware of that, please forward it to me, the committee and we will try to address that again.

The last point is- you may recall the EMS paramedic program that actually came through our system a couple months ago. It was approved through the College of Medicine, but subsequently there were changes and Senator Barnes saw some of the changes coming through curriculum and subsequently that required it to come back to the Academic Programs Committee. The committee considered the new program and moving it to CALL. But I hope I am not speaking out of turn here for the committee—in terms of the program content, approval, and instructors, that was all fine. But, the questions raised were really regarding administration and the approval points. The purview of the committee as to what we need to review for approval. So here’s a bunch, it’s been paraphrased, and it came up from this proposal. The program moved from College of Medicine to CALL. Who has the ultimate responsibility for the program, oversight, and administration for questioning- FTE’s- questions regarding those? One of the committee members raised a point that we have 24 credit hours which is what this is moving to, what is the purview of our committee? Is it just academics or should we really be reviewing this? Should we review administrative issues as well to make sure the viability program will mostly be maintained? And so, those are the issues that came up. We do have some of our colleagues here from the program, Jim Cress and Thea Sawicki. I knew they were coming so I mentioned I would introduce this issue. Can one or both of you speak to some of these questions, please?

**Director Jim Cress:** Good afternoon. I am Jim Cress, I am the Director of the EMS program and I support training on the Health Science Campus. I am just going to try to address a few of these here: As far as the aspect of moving it from the College of Medicine to CALL- the biggest issues were essentially the infrastructure; obviously, the College of Medicine is more of a graduate level set-up and CALL is actually set-up in the undergraduate scenario. All of the infrastructure is really already in place for that to occur with advising, with admissions, and those kinds of things with undergraduate students as opposed to the College of Medicine which is really a graduate level. Actually, my fault in all of that, when I first submitted it, I just simply didn’t really understand some of that “old” setup; it made more sense when Thea and Peg and I set down and we started talking a little bit more about, what’s the easiest transition in allowing this certificate program to exist and also, obviously, the requirement that needs to be linked with a degree program. Initially, when I first submitted it, I was just throwing in three paramedic classes, Paramedic I, Paramedic II, and Paramedic III, saying this is a certificate program. We are offering the

courses under the College of Medicine and taught over at the Health Science Campus, but administratively, it will be under CALL. So, when that was clarified with me we resubmitted this whole certificate program under the CALL heading then. Are there any questions on that aspect?

**Senator Edwards:** Is it two degree programs in...?

**Director Jim Cress:** It will be, yes. Well, actually, yes, it is, the associates' degree in Technical Studies. So the infrastructure is there and we are just plugging in our three medical courses into the core courses that are necessary for our associates and going from there.

**Associate Dean Pollauf:** It is actually, General Studies, just to clarify.

**Unknown Speaker:** What is CALL?

**Senator Ohlinger:** The College of Adult and Lifelong Learning.

**Senator Edwards:** Is it associates' of Arts Degree or associates' of Sciences?

**Associate Dean Pollauf:** Associates of Arts.

**Senator Edwards:** Okay.

**Associate Dean Pollauf:** Part of the problem here, there are no associates degrees at UT, except business ones and the associates of Arts of General Studies.

**Senator Humphrys:** Associate Dean Pollauf, there is a technical studies associate's degree in Science, that is housed in the College of Business.

**Director Jim Cress:** If I can clarify as well, the reason we are going along the lines of this certificate and so forth is- in the firing the EMS professions which is really where we are going to find paramedics, degrees are really not a major component in the promotional track and advancing track in those systems, they all have their own promotional methods and so forth. There's a big push for obviously, the higher education, naturally, and this is one of the reasons why we're moving towards a degree a four-credit program. So, along those lines, we feel that this certificate program is probably the majority of students entering the program would want. There will be some people probably continuing on for a degree program, an associate's degree. There are many, many programs and colleges that offer associates degree.

**Senator Barnes:** Since it will probably come up in the curriculum report that I am going to do, will you address the shift back in credit hours? We approved a set of credit hours in the Fall and then we were asked to reconsider a different set of credit hours more recently.

**Director Jim Cress:** Actually, what was approved was an incorrect number. We were submitting for six per course and actually what was approved was four, so actually, that was incorrect.

**Senator Barnes:** Four was on the paperwork.

**Director Jim Cress:** Okay. I can't really---

**Senator Barnes:** So you don't know why? It just wasn't the right number.

**Director Jim Cress:** It was on the paperwork as four but it should've been submitted as six per credit. But then we also have to look at C-Tag requirements and so forth. Across the state there are three programs that the state recognizes for C-Tag for the paramedic level. Now, talking with people from the Board of Regents, we don't have to have 30, but 18 was a far cry from 30. We now have courses approved for 24 total which is more in line with that and that has been submitted to the Ohio Board of Regents.

**Senator Barnes:** Thank you.

**Senator Ohlinger:** It has to exceed 900 hours.

**Director Jim Cress:** Yes, yes, we exceeded 900 hours, that is another thing- it is either 30 credit hours or 900 clock hours and we exceed the 900 clock hours.

**Senator Molitor:** So you stated that of all the course work can still be offered through the College of Medicine, is that correct?

**Director Jim Cress:** Yes, that is correct.

**Senator Molitor:** Okay, maybe I am old-fashioned, but I think academic programs should belong to the college that is offering the majority, if not all of, the courses. The fact that you don't think you are capable of administering the program because it is on the undergraduate level does not strike me as a valid reason to move a program to a college. No offense to Adult and Lifelong Learning, but that is not necessarily their expertise. You are talking about a specific technical profession here which should be administered by the college that is most capable academically to administer that program and to offer course work.

**Director Jim Cress:** I will let Dr. Sawicki answer that question.

**Vice Provost Sawicki:** Senator Molitor, you made good points, however the College of Medicine had absolutely no one to graduate these particular programs nor has it ever admitted undergraduate students, it is all post-baccalaureate in the College of Medicine. So to able to move this certificate program going forward we need to find a college that can help right now by admitting undergrad students and will have an associate's degree. I think the program and Vice Provost Traband is very experienced with undergrad requirements and our university's rules- they made the suggestion to allow us to go forward. Also, it is in Technical Studies, it will allow a good home for it in CALL because they have training in Technical Studies. The College of Medicine has now been asked to consider graduate admissions to take on undergraduate programs and under graduate enrollment admissions, I think it is a two or three year process. So, we are asking for Senate's help to allow this certificate to go forward. Where the certificate is coming from, Jim Cress has for many years lead training for paramedics on a non-degree/non-credit basis. National accrediting agencies are now requiring paramedics to have certificate level training and ta certificate at a university or college. So his whole accrediting body, all paramedics, are insisting that we make that change as of this year, so this is why we are trying to help and to move that forward.

**Senator Molitor:** Two follow-ups. Wouldn't it make more sense for the College of Medicine to seek assistance from the provost to help administer the program and to help with admissions and advising? Again, if it's an accredited program, aren't they going to be concerned what college the program is

offered through? Second of all, if it came from the College of Medicine, are there other colleges on campus such as Health Sciences that this program may be more relevant to be administered through?

**Vice Provost Sawicki:** I was going to ask for your indulgence. We are hoping to be able to take this, once you approve it, even if it's a temporary approval for a year, to the Board and get it on their consent agenda so we can take the certificate to the state. Director Cress is not able to enroll anyone until we have the state's approval of this certificate. So, some of these choices that Vice Provost Traband, Director Cress, and I have made were provided by Dr. Brickman, who is here, to try to assist the Toledo Fire Fighters to be in compliance, to have an accredited certificate, and not to rule this out in a year or two. So we put it in the College of Medicine because that is where the courses come from and then it meets the state's requirements. That certificate cannot stand on its own- it must be aligned with a degree of some sort.

**Senator Molitor:** Okay, so that is a requirement of Vice Provost Traband?

**Vice Provost Sawicki:** Yes.

**Senator Keith:** I just have a quick question. If the College of Medicine only has graduate programs, what level are these courses being offered at that they will be associated with an associate's degree which is the university baccalaureate degree?

**Director Jim Cress:** Well, that goes back to the undergraduate.

**Vice Provost Sawicki:** Yes, the courses are offered by the Department of Public Health and they were approved by the Curriculum Committee here that is associated with that department in the College of Medicine.

**Senator Edwards:** Those courses in Public Health are in the College of Health Sciences. Also, I think the other issue, you mentioned all the other courses now are through C-Tag, correct?

**Vice Provost Sawicki:** No, C-Tag application went down to the state last week, so we are pending approval.

**Senator Edwards:** Okay. The other issue is in associate degree programs, Associate of Arts and Associate of Science Degree Programs are transferable, but, Associate of Science Programs are not and that is why this probably belongs in the Associate of Arts and Technical Studies or rather Associate of Sciences and Technical Studies.

**Associate Dean Pollauf:** That a lot of degrees; Associates of Health and Technical Studies degree is not actually a science degree it is Associate of Technical Studies.

**Senator Humphrys:** It's called an Associate of Technical Studies program, but students choose whether they want to pursue an Associate of Science or Associate of Arts degree.

**Associate Dean Pollauf:** Let's be clear, it is also not an advance degree and that was the perception.

**Vice Provost Sawicki:** We are not determining what associates degree that it is aligned with because it is an opportunity.

**Senator Edwards:** But it is a curriculum issue; please understand the curriculum issue. For the record, Vice Provost Traband has been in this discussion for 20 years. The first discussion this program was...at Comp Tech and it came here 20 years ago. The college of Medicine and Dr. Gold was anxious to take it away and he eventually did.

**Associate Dean Pollauf:** [*Indecipherable*]

**Senator Humphrys:** It seems like there are two issues and we are relating the two and maybe they can be separated. I mean, you can have the certificate program and then someone who has achieved the certificate program could go to any college to use that towards a degree. It seems to me as if we are making it sound like the certificate has to be housed in the college where the students will then be given the degree, but there might be other options. In other words, you can take these credit hours and you can get any possible degree.

**Senator Barnes:** A degree in “English.”

**Senator Humphrys:** Yes. So, I am still confused about the relationship and the “need” to have the relationship. And the other question I have, does this certificate program, does it go through the Ohio Board of Regents after this?

**Vice Provost Sawicki:** Yes, it will.

**Senator Humphrys:** At that point, will it only be after it gets approved by Ohio Board of Regents that it will be transcribed? Not the courses, but the certificate program.

**Vice Provost Sawicki:** Yes, of course.

**Senator Humphrys:** Okay.

**Senator Edwards:** Associate Dean Pollauf, are you representing CALL on this issue?

**Vice Provost Sawicki:** Denis Lettman does.

**Senator Edwards:** So it will fit in to your other associate of technical studies?

**Senator Humphrys:** No, it is general.

**Associate Dean Pollauf:** The general degree wasn't discussed. The Associate of Technical Studies was discussion of choice.

**Senator Edwards:** So, do you have any other coursework in your college that students can complete these degrees?

**Associate Dean Pollauf:** Okay, let's back up for a minute. Either the associates of arts and general studies or the associates of technical studies are degrees that you take the core at the university or you can take other courses at the 1000 and 2000 level or specifically prescribe courses that are in any other program and earn an associate's degree. We don't own any of it. We don't own any curriculum in the College of Adult and Lifelong Learning- this is a degree that existed previously under...Technical College- they came to our college after the breakup. We were later approached about, could this program

fit in a degree because the certificate cannot exist on its own, it has to tract something. Would it attract to other things? That was a different question and it was never part of the conversation which I was part of. The conversation was, could this work? The answer was, “yes.”

**Senator Edwards:** Is there curriculum lined-up with this degree program, using these courses?

**Associate Dean Pollauf:** Besides general studies?

**Senator Edwards:** Well, either general studies have some requirements in the---

**Associate Dean Pollauf:** 36 hours of computer class or 21 hours of electives at the 1000 or 2000 level.

**Senator Edwards:** Are there any general education requirements in that degree?

**Associate Dean Pollauf:** The university core.

**Senator Edwards:** So, we are just transferring these classes for the EMS program to that degree program?

**Associate Dean Pollauf:** They become an elective component of that baccalaureate program should students choose to go on. Do I understand this correct, Director Jim, initially?

**Director Jim Cress:** We have a contract with TFD and there are probably 35 or so employees that will run a class and will run another class and so forth. That is kind of an ongoing thing at this point. To bring in that group we also are looking at an outside group, general public and other UT students who has an interest in this as well. This is for all groups, not just specifically the TFD.

**Senator Ohlinger:** I don't want to cut the discussion short, but there any other questions?

**Associate Dean Pollauf:** Yes, I just want to know one other answer- does this directly compete with Owens Community College PMS courses?

**Director Jim Cress:** Yes, it would.

**Senator Ohlinger:** I think clearly we have a very high-quality program that's been with us for a long time. Due to changes of instructions recently and over the years of the university, we have a structure that doesn't make the ideal home anywhere for this, but we have the support with the College of Medicine and CALL. There is one final question.

**Senator Molitor:** It wasn't actually a question. I just want to make a motion because I assume it was a consent agenda item.

**Senator Dowd:** Point of order. Faculty Senate does not have a consent agenda.

**Senator Ohlinger:** Right, we wouldn't need a motion because this came out of the committee without a recommendation and we brought it here for discussion.

**Senator Molitor:** I would like to make a motion to approve this program as is, through the College of Adult and Lifelong Learning with the caveat that a year from now we can revisit this program to see if there's a better college in which it should reside.

**Senator Ohlinger:** So next year the Program Committee will review this.

**President Hoblet:** I accept that motion.

**Senator Ohlinger:** Is there any further discussion? Okay, all in favor please signify by saying "aye." Any opposed? Any abstentions? **Motion Passed.** Thank you.

**Senator Teclehaimanot:** I would like to acknowledge Senator Ohlinger for chairing the Programs Committee. He was very determined and deserves recognition for his hard work.

[Applause]

**President Hoblet:** Thank you Senator Teclehaimanot. We are very much grateful for Senator Ohlinger's dedication and hard work.

Next, with that, I am going to ask Senator Sharon Barnes, Undergraduate Curriculum to provide us with her report.

**Senator Barnes:** The report was sent to you yesterday. Is there any discussion? All in favor please signify by saying "aye." Any opposed? Any abstentions? **Motion Passed.** Thank you.

College	Course Impacted	Change	Rationale
COBI	OPMT 4760	1. Course name, from "Simulation Modeling and Analysis of Manufacturing/Service Systems" to "Simulation Modeling and Analysis of Supply Chain Systems." 2. Catalog description	Streamline course name and description to be more in line with current language utilized in practice for the content covered in the course.
COBI	OPTM 3340	1. Course name, from "Quality Management" to "Quality Management and Process Improvement." 2. Catalog description	Streamline course name and description to be more in line with current language utilized in practice for the content covered in the course
COBI	OPTM 3610, to OSCM 3610	1. Course name, from "Production Planning and Scheduling" to "Operations Planning and Scheduling." 2. Catalog description	Streamline course name and description to be more in line with current language utilized in practice for the content covered in the course
COCA	ARTH 3900	1. Remove prerequisite of ENGL 1130, ARTH 2001 and 2003, gpa of 2.5 2. Catalog description	Opens the course to more students seeking to learn the fundamentals of art museum practices.
COCA	ARTH 3950	1. Remove prerequisite of ARTH 2001 & 2003 2. Catalog description	Opens the course to more students seeking to learn the fundamentals of art museum practices.
COCA	ARTH 3960	1. Changed prerequisite	Ensures that students have the

		form "Permission of Instructor" to ARTH 3900 and 3950 or permission of instructor.	appropriate experience to enter the course.
COCA	ARTH 4940	1. Changed prerequisite from ARTS 3900 and 3950 or permission of instructor," to Permission of the Instructor." 2. Catalog description.	Broadens internship opportunities and experience beyond the topics of ARTH 3900/3950.
LLSS	GERM 4940	1. Course name, from "Work Experience Abroad, "to "Internship on German." 2. Catalog Description.	Opportunities for internships using the German language are increasing in the U.S. and the other countries, so they are eliminating the requirement that the experience be carried out in German-speaking country.
LLSS	AFSR 3900	Catalog description.	Reflects designing of the course as a U.S. Diversity course, which it should have been given when it was originally approved.
NSM	ASTR 4810	1. Course name 2. Prereq from Phys 3070 or Phys 3320 with min grade of D- to "PHYS 3320 with min. grade of D-"	New name more closely reflects course content and PHYS 3070 is no longer offered.
NSM	ASTR 4820	Name change	New name more closely reflects course content.
NSM	EEES 4790	1. Name change. 2. Catalog description 3. Added "or equivalent" to required prereq.	Minor change to name and description to incorporate globally significant ecosystems in NWOH. No change in course content.
NSM	MATH 1180	Removed prerequisite.	Response to changes in the delivery of math ed. in Ohio colleges due to the OH Math Initiative.
NSM	PHYS 4210	Prerequisite change.	Response to change in course numbers in Math Dept.
NSM	PHYS 4230	Prerequisite change.	Response to change in course numbers in Math Dept.
*MED	EMS 1310 EMS 1320 EMS 1330	From 6 to 8 credit hours. From 6 to 9 credit hours. From 6 to 7 credit hours.	Recalculation of previously approved changes to credit hours, down to 18. Proposed 24 credit hours will qualify the certificate (900 hours of training) to meet the state's CTAG and approved curriculum for paramedics. No content changes.
*COBI	FINA 4360, to FINA 4340		Data entry error on original course proposal was not noticed until after FSUCC approval. Dept. would like course number to match graduate "partner" course, FINA 6340. No content change.

New Course Proposals Approved by Faculty Senate Undergraduate Curriculum		
College	Course	Rationale
COCA	THR 3250: Theatre Management	General overview of mgmt. of an arts org. Faculty agrees that business of theatre will strengthen the BA
ENG	EECS 4580: Human Computer Interface Design	Special topic courses have been popular for more than 3 semesters.

LLSS	CHIN 1090: Chinese Culture	Course has run successfully as a HUM special topics; would like students to have opportunity to take a CHIN course.
LLSS	CHIN 3980: Special Topics in Chinese	Would like students to have an opportunity to take an advanced CHIN course under CHIN #.
LLSS	FLAN 4940: Internship in Foreign Languages	Dept. needs internship option for students in various international circumstances that don't necessarily require foreign language, but do ask for global cultural competency, like Sister Cities, Intl. etc.
LLSS	FREN 4940: Internship in French	Dept. needs to provide students with opportunities to speak French in professional environments.
LLSS	JAPN 4940: Internship in Japanese	Dept. needs to provide students with opportunities to speak Japanese in professional environments.
LLSS	SPAN 4940: Internship in Spanish	Dept. needs to provide students with opportunities to speak Spanish in professional environments
LLSS	FREN 3980: Special Topics in French Studies	Dept. needs to offer 3000-level special topics course for students <u>studying abroad</u> .
LLSS	GERM 3980: Special Topics in German Studies	Dept. needs to offer 3000-level special topics course for students <u>studying abroad</u> .
LLSS	JAPN 3980: Special Topics in Japanese Studies	Dept. needs to offer 3000-level special topics course for students <u>studying abroad</u> .
LLSS	SPAN 3980: Special Topics in Spanish Studies	Dept. needs to offer 3000-level special topics course for students <u>studying abroad</u> .
SM	EEES 4160: Environmental Data Management	Dept. would like to offer this course, which already exists at the graduate level, to select advanced undergraduates.

**Issues:**

1. What is the proper use of special topics number? Concerns about open #repeated often. Is this register issues?
2. Is there a procedure for dealing with curricular issues in the summer? If so, what is it?
3. If you are offering flexible credit hours for a course, like an internship, you should address the rationale in the rationale box, please. Since these courses often do not have syllabi, is it difficult to responsibly consider them.

**Senator Barnes cont'd:** [*Disk change*] "... credit hours like some of those foreign language internships, which of course is really important to many undergrad students who do internships. It would be helpful to address in a rationale so we can understand that we specifically need special topic courses, because the syllabi is always different and there is no syllabus attached, so committee members can look at it and understand what course it is etc.

**Past-President Rouillard:** Do you need something from us?

**Senator Barnes:** No, these were all right, so thanks to the folks who worked so hard. I just want to say and I haven't asked her yet the question, but I really hope we take some recommendations in terms of people who might be chair of this committee next year. There were a couple of folks who were really able

to look at the forms and say, “They didn’t do this or they forgot this,” who seem to have a strong ability to do that, unlike the person who can’t cut and paste appropriately <laughter>. Thank you.

**President Hoblet:** Senator Barnes, thank you for all the work you and your committee have done. I will be contacting you and we will get together as a group because I think oftentimes that’s how our best work happens, with all of us at the table. At this time, I ask Dr. Celia Regimbal to come to the podium to give us a report on Academic Regulations.

**Dr. Regimbal:** Thank you, President Hoblet. This is a report from the Committee on Academic Regulations. We received a request to review the *incomplete* grade. We looked at the description of the *incomplete* grade from the 1991-1993 catalog, which I will let you start reading if you would like. Okay, this is a description of the “old” *incomplete* grade, see PowerPoint. It was changed in the catalog statement in 2001-2002 and it is very different from the 1991-1993 catalog. Apparently, the concern came up in the next change in the policy which was put in in 2011.

**Senator Edwards:** Did that go through your committee?

**Dr. Regimbal:** We’re not able to find really who put it in, or where it started from, so I think that’s part of the “yes.”

**Senator Dowd:** My understanding is that revision was neither reviewed nor approved by the Faculty Senate.

**Dr. Regimbal:** Okay.

**Senator Dowd:** I believe the 2011 revision came from the administration and was approved by the administration only.

**Senator Edwards:** Okay.

**Dr. Regimbal:** As you review the policy, the part---

**Senator Edwards:** So, in fact it doesn’t exist?

**Dr. Regimbal:** It is in the catalog.

**Senator Dowd:** I believe the 2011 revision came from the administration and was approved by the administration only.

**Senator Edwards:** It doesn’t have standing---

**Past-President Rouillard:** But it does exist.

**Dr. Regimbal:** So the part that is in light gray is the part that’s really different from the two; so it reads, “...Once a course is given a grade *F* a student is required to reregister and retake the course to earn a different grade,” so that is the “big” difference between the 2002 and the 2011 statement, aside from the fact that it did not go through Faculty Senate, which is also problematic. The committee has met and talked about the statement and has had some discussion- we would like to request that Faculty Senate

would consider an extension and that we can move this forward for business for next year. We believe that you probably have some suggestions that you can forward on to the committee about possible language and questions you might have that we can discuss. I think, as well, we should look at the form that goes along with requesting a grade of “*IN*.”

**Senator Molitor:** I certainly don’t mind giving you guys an extension to work on this to address it in a thorough and thoughtful way. But if this policy was changed in 2011 without Faculty Senate review and approval, then this revised policy doesn’t exist and we should request that the administration revert back to the original version of the policy until we have a chance to review and approve any changes.

**Unknown Speaker:** In the meanwhile.

**Senator Dowd:** May I make comment? The issue is that the current policy is a university policy because the administration simply imposed it on faculty and students. However, the current policy was not approved by Senate and I believe it was not an explicit Board approved policy either. There is a Board approved process for establishing and revising policies. Long ago the Board of Trustees granted Senate authority over academic issues. So if we want a revision to that policy, we, the Faculty Senate, need to take responsibility for this issue and revise the policy according to the approved process.

**Senator Molitor:** Okay.

**Senator Edwards:** Yes, we, Faculty Senate, have to change the policy.

**Dr. Regimbal:** We will have to go through the formal process.

**Senator Dowd:** The Board of Trustees is *The Board of Trustees*. They have ultimate authority, as do their processes.

**Senator Molitor:** That makes sense.

**Senator Keith:** And this is the policy that the Registrar’s Office is enforcing?

**Senator Dowd:** Absolutely.

**Senator Molitor:** If this is a policy on the books, then he is going to enforce it.

**Dr. Regimbal:** Yes, and he is willing to enforce it. His position is that “if it’s a policy, I will enforce the policy, so just tell me what policy I’m supposed to enforce,” not, “I am in the business of making policy.”

**Senator Dowd:** Right.

**Dr. Regimbal:** So, since this is the one that appears, then this is the one that gets enforced.

**Senator Edwards:** The form itself, was that part of the 2011 or did that just appear in the past week or two, because I haven’t seen this during the last two years?

**Senator Dowd:** I believe it is relatively new. Vice Provost Moore, from our meeting on this issue, do you remember any discussion on this form?

**Vice Provost Moore:** I remember discussion of this form, but I didn't think to ask at that time when did this form come to be.

**Senator Keith:** Well, we always had a form, but I think---

**Senator Edwards:** No, we haven't always had a form; I never used one till last year.

**Senator Keith:** Well, we always had a form.

**Senator Edwards:** I haven't used one till last year.

**Senator Keith:** People were not using the form, but we always had a form.

**Senator Edwards:** Because we didn't know how.

**Senator Dowd:** There was always a form.

**Senator Keith:** Yeah, but I don't know if it's a new form or if they are just---

**Dr. Regimbal:** I have the form, if it would help.

**Senator Edinger:** It seems to me that our policies are at cross purposes. As written they say on one hand, we want more money from students, and then on the other hand, we want students to graduate; this seems like it's a fairly easy fix, if our main goal is to increase graduation and to keep down debt. Why are we charging students twice?

**Dr. Regimbal:** I can't answer that question.

**Senator Monsos:** There is also a counter issue that the Registrar's Office has been receiving for some time, adjustments to *incompletes* sometimes many, many years after the date of the course being taken. I believe the policy was attempting to say, as of this time, let us stop being...

**Senator Edinger:** I understand that we don't want extensions to go forever. But on the other hand, the requirement here is that they have to retake the course and if it be, "after one semester I have to retake the course," that's the problem.

**Senator Federman:** Well, that issue came up during the discussion because of the current trend to have classes that may not be available more than one semester out of a year, or even canceled that year just because there just wasn't enough interest at that time. So setting a definite date means the requirement to retake the class doesn't run into a problem of conflicting issues. Where you said the person could remediate their *incomplete* grade but then they are not capable of doing so – that was one of the issues we couldn't figure out how to wrap ourselves around to come up with simple wording to fit in those scenarios.

**Dr. Regimbal:** If you want a further one- if you get an F in a class and you have a conversation with a faculty member, you might be able to change that grade, you don't have to retake that class; that was another question that came up. I think it is a matter of having a discussion about the policy and trying to bring forward to Faculty Senate a policy that is clear and enforceable, and people feel that they have options – faculty as well as students – have options.

**Senator Edwards:** I would just say that it is fundamental that faculty be in control of what grades they give to students in their classes- that is the primary goal here and that is the primary issue of any type of faculty governance – it is to have control over the grading and not have it sidetracked by administrative policy trying to get more money out of students or trying to do whatever. It is the faculty member’s decision. If the faculty member is not there anymore, then that is on the student.

**Dr. Regimbal:** I would say that I did have a conversation with the registrar and it is not the registrar’s position to get more money out of students; that was not his position on this at all. So I think it is only fair to say that for the Minutes.

**Senator Barnes:** I have a question on a different topic, so if you want to finish this one.

**Senator Dowd:** Dr. Regimbal, may I make a quick point to follow-up on Senator Edwards’ point?

**Dr. Regimbal:** Yes.

**Senator Dowd:** Faculty need the ability to go “backwards” in the sense of restoring an *incomplete* grade. If a faculty member assigns a student an *incomplete* grade then one semester later it will turn into an F grade. Faculty members need the ability to say, “my student needs a little bit more time to complete their work and, therefore, I need to restore the *incomplete* grade for an additional semester.” The 2011 policy is the worst type of policy because the administration tried to eliminate extreme cases of *incomplete* grades spanning multiple semesters simply by imposing a policy. But we should not base general policy on such exceptions. Every faculty member knows that there will always be a student who may not finish their work in a semester, two semesters, or even three semesters. In my opinion, policy should be designed around what’s reasonable and what is not, and to include provisions to deal with exceptions as exceptions. Faculty need the ability to restore an *incomplete* grade if it turns to an F.

**Senator Relue:** My comment was going to be, when you give an *incomplete* to someone you are assuming they’re going to finish that work and then come back to you with that work. But if you give them an *incomplete* and they never come back to you, then I don’t try to track them down and say, “bring me your work to finish your *incomplete*,” that just never happens. So if you have those *incompletes* in the system for an extended period of time I don’t know what we will do with them; does that student kind of disappear because they can’t graduate with an *incomplete*?

**Dr. Regimbal:** I believe the policy has been for a long time that after a semester it goes to an F.

**Senator Relue:** It’s just having the ability to change the F.

**Dr. Regimbal:** And I remember a long time ago, like five years, if I would assign a grade of “*IN*,” that I would get a message that said this *incomplete* is going to change to an F, so I was alerted to that- that could be one of the things the committee could discuss: is how faculty would know that that change is going to take place, because the other part of the conversation was, maybe you have a student that’s engaged in some kind of research project, an undergraduate student, and an “*IN*” isn’t an appropriate grade because they have to be able to finish. So I think there are a lot of cases, and that was the conversation that we should bring forward to the Faculty Senate.

**Senator Federman:** One of the other issues was the paper form, and the rewording in the policy didn't quite match up, and that was one of reasons there was a lot of leeway. The form is more of a contract that says, "you must complete this" and there's a date and we would arrange that with a student. For example, if a student is sitting in a hospital and you know they are not finishing in two weeks and the term paper that I assigned just turned into an *incomplete* grade- you will have leeway to be able to do that, and that is another way we can handle the system, which is to develop a policy so we will have a way of developing that flexibility and having some comprehend points so the Registrar's Office can do their job.

**Dr. Regimbal:** If I can take these two comments.

**Senator Lee:** Is it true that after a certain amount of time we do not receive the state share of instruction, is that part of what this is? We have been directed in our college that there should be very few *incompletes* because after a certain number of days we will not receive our state share of instruction and that is a financially disadvantage.

**Senator Dowd:** Well, state share of instruction is based on completion and there will be no subsidy.

**Unknown Speaker:** Right. Is there a time limit to that?

**Senator Dowd:** At some point in the semester. However, if the student completes the course the following semester, the university will receive the subsidy.

**Senator Lee:** They will?

**Senator Dowd:** They will receive it. That's my understanding---

**Senator Edwards:** That's theoretical.

**Dr. Regimbal:** If you would like us to answer that question, we will see if we can find out that information for you.

**Senator Lee:** That would be great.

**Dr. Jayatissa:** [*indecipherable*]

**Dr. Regimbal:** We had that discussion from the committee and the *in progress* grade is not on the selection for undergraduate course work. And as a faculty member teaching, we're made to understand that the *in progress* grade is not a grade that is available to undergraduates. So, in the case of undergraduate research, it may be that as things come through the system, that we'll be asked for that grade to be added, but that was part of the discussion.

**Senator Keith:** I just wanted to say that we used to be able to give *IP* grades to undergraduates and then all of a sudden it went away. But we had a discussion, Senator Dowd and I had a discussion with the Registrar and Vice Provost Moore, and they seemed willing to think about bringing it back for undergraduates who were working on research; it seemed appropriate to bring it back to students.

**Senator Sheldon:** In Honors we have quite the opposite- I discovered in December 2014, we no longer had *incompletes*, we only have *in progress* and those are all undergraduate courses. I was told by the

Registrar that that had been changed three years prior because our dean wasn't aware of it and our associate dean wasn't aware of it; we give *PR* grades, we do an *incomplete* as an option in Honors.

**Dr. Regimbal:** Perhaps our committee could look at that.

**Senator Sheldon:** I just think the timing is interesting because if it was December 2014 when I found out, it was three years prior, so something happened in 2011 that changed in a lot of colleges.

**Senator Teclehaimanot:** Dr. Regimbal, is there any way your committee can look at the *IW*. I was told by Registrar's Office to give them an F, although the students never attended classes, which might have an impact in their future.

**Dr. Regimbal:** That is a good question about the *withdrawal* grade. One of the issues with the *withdrawal* grade has to do with students getting loans; they register for classes they don't go to and there's a date that deals with their financial aid. Apparently, there is also a "policy" that you should only have so many *withdrawals* on your transcript in order to remain eligible for financial aid; so I think the *withdrawal* grade has a financial implication for the student, but I don't know if it has a financial implication for the university, but it definitely has for the student. I know that came up for us to talk about and if we have a clarification on what you would like for us look into then---

**Senator Teclehaimanot:** The student already paid his/her tuition so then why does the university care if the students have it or not?

**Dr. Regimbal:** Because the student incurs debt.

**Senator Barnes:** It's federal financial aid.

**Dr. Regimbal:** It's a financial aid issue.

**Dr. Regimbal:** I just know there's an issue with the number of *withdrawals* on your transcript.

**Senator Ohlinger:** The issue has to do with how much course work they complete at the end of the semester.

**Senator Teclehaimanot:** What about the family getting financial aid?

**Dr. Regimbal:** I don't have the answer to that. I just know there's an issue with the number of *withdrawals* you can have on your transcript.

**Senator Barnes:** Can I ask my other question because it's related to your committee?

**Dr. Regimbal:** Yes.

**Senator Barnes:** It's about petitions for grade reevaluation, I forget the technical term. Is there a policy in place that says, if you are the instructor of record who gave the grade, you will be informed if someone else decides to override your grade with the student?

**Dr. Regimbal:** I don't think that can happen.

**Senator Edwards:** In the old days that happened, but I don't think now.

**Senator Barnes:** Okay, I was just curious. If there isn't a policy that says that, then I think there should be.

**Dr. Regimbal:** Okay.

**Senator Barnes:** Thank you.

**President Hoblet:** Dr. Regimbal, are there any other further recommendations from your committee?

**Senator Dowd:** President Hoblet, I was just going to say something very similar. Dr. Regimbal, can you state explicitly for the Minutes your recommendation?

**Dr. Regimbal:** I am asking that Faculty Senate consider extending this so we can move this into the next academic year. However, I don't know how many people will be here to consider the issue over the Summer.

**President Hoblet:** Moving this to the next academic year is reasonable.

**Dr. Regimbal:** Then I can pass this along to the next committee <laughter>.

**President Hoblet:** Thank you, Dr. Regimbal. Next, in the very few minutes that are remaining, we have Pete Papadimos, Vice President and General Counsel for the University of Toledo, who is coming to give us the update that we've been asking for on Title IX, our consultation.

**Mr. Papadimos:** Hello everyone. I've been asked to provide you with an overview of the Title IX assessment that was conducted by the law firm of Ballard & Spahr regarding the university's Title IX policy, procedures, and program. The topics I am going to cover are going to be: UT Title IX objectives, assessment initiative background, a review of Title IX-related legislation, assessment recommendations, key initiatives & 90-day priorities. In regards to Title IX, the university has a number of objectives: (1.) The University is deeply committed to preventing and addressing sexual harassment and sexual violence in its educational programs and activities on campus. (2.) UT strives to ensure that students and employees are safe on campus and that it responds promptly and appropriately to reports of sexual misconduct. (3.) UT ensures that the rights of all members of the campus community are respected, including complainants, respondents, and others. Now, this initiative started in the Fall of 2014. President Naganathan commissioned the law firm, Ballard & Spahr to perform a Title IX review by Bisi Okubadajo and her team from Baltimore and she's a former attorney from The Department of Education, the Office of Civil Rights. In addition to the review, her assessment regarding her policy, procedures, her websites, and communications- approximately 100 individuals were interviewed that included faculty, staff, students, administrators, grad student reps, student employees, grad students, res life reps, and student leaders etc. The review was conducted for several reasons (1.) To enhance and improve the university's Title IX process. (2.) Comply with guidance from the federal government, DOE White House, as well as the Amendments to the "Clery Act" and (3.) as a result of the Title IX complaint that was filed last Fall by a student. In regards to complying with the DOE guidelines, the "Clery Act," in April of 2014, the Office for Civil Rights and the President's White House Taskforce provided detailed guidance to universities regarding expectations in regard to institutional response to sexual violence on campus. It set procedural

requirements. The definition of a responsible employee provided for investigations and hearings, interim measures. Appeals and trainings for education and prevention programs. And then in October 2014, the Department of Education implemented the Campus Save Act which is an amendment to the “Clery Act” and that basically set forth a number of new obligations for colleges and universities in regard to reporting requirements for certain offenses as they relate to domestic violence, and sexual violence, and stalking, and it also set forth requirements for education prevention programs for sexual assault and crimes. From the assessment itself, there were certain strengths attributed to the university (1.) The UT Police Department leadership role in contributing to prompt response to sexual misconduct on campus. They were impressed with the police department’s actions in this regard. (2.) Commitment of UT’s senior leadership to preventing and addressing sexual misconduct in UT’s programs and activities and ensuring UT responds to sexual misconduct in a thoughtful and compliant manner. (3.) It indicated strong commitment that was voiced by students and employees, staff, and students regarding participating in the use of the Title IX program, as well as the desire to maintain a strong and compliant Title IX program.

Now, in regards to the recommendations- the recommendations basically center on actions that will ensure that the university implements on an exemplary Title IX program that fully addresses the needs. Safety and rights of students and employees. There were seven annual recommendations that were listed. The first recommendation dealt with Title IX policies and procedures. The university began its comprehensive review of Title IX polices across campus. There are nine policies across campus that are related to Title IX. Here are a couple of recommendations that came out: (1.) First recommendation, continue to streamline, coordinate and revise policies and practices to ensure compliance with Title IX and The Violence Against Women Act. (2.) Reduce the number of Title IX policies in effect and ensure the policies communicate a clear and concise message. And that was one of the things that came up in the report, the need for clarity in the process. The second recommendation related to the role of the Title IX coordinator (1.) They basically recommended that the university restructure its Title IX office to include one Title IX coordinator primarily devoted to the Title IX issues and Deputy Title IX coordinators responsible for major campus constituencies. (3.) Recommendation that the university restructure its Title IX office. Provide ongoing training and resources to the coordinator and deputies to ensure prompt and equitable implementation of policies and procedures, successful investigation of complaints, prompt administration of interim measures, accurate record-keeping, and coordination with law enforcement and others.

Now, in regard to the handling Title IX complaints, there are several recommendations that fall in the category (1.) They recommend that the university notify its employees and students who are responsible to report to the Title IX coordinator incidents of sexual misconduct in UT programs and activities. (2.) They recommend that we establish a procedure for handling Title IX complaints. Who will address and investigate reports, how the interim measures will be provided, and the need to do that in a clear fashion? (3.) The complaint process should take no longer than 60 days, and that is from the investigation to handling patients, and that is excluding the appeal process and excluding extraordinary circumstances.

**Senator Edwards:** Can I ask a question about, how one makes a complaint?

**Mr. Papadimos:** Did you ask, how does one makes a complaint?

**Senator Edwards:** Yes, was that ever discussed? How does a student make a complaint about sexual harassment? I’ve been asking that question since September of last year and Faculty Senate has.

**Mr. Papadimos:** It says it in the policy.

**Senator Edwards:** Yes, but, am I going to go online and report sexual harassment, but, I don't know how to get there? I don't know that I am supposed to go to Title IX.

**President Hoblet:** There is no direction to the Title IX coordinator.

**Senator Edwards:** Yes, there is no direction as to how to get there.

**Mr. Papadimos:** Two things: The website has been updated.

**Senator Edwards:** Not since today?

**Mr. Papadimos:** If you go to the Police website---

**Senator Edwards:** But, how do I know to go to the Police website? There is a complaint form there that has to do with basically employees- it says to take it over to HR, but the student's webpage tells you NOT to take to HR, it tells you to take it someplace else.

**Mr. Papadimos:** That information has been---

**Senator Edwards:** The reporting is a BIG issue.

**Senator Quinlan:** I would concur with that. We had a faculty member in our college more than 60 days ago file a complaint of sexual harassment against an administrator in our college and I know it is not the first time it's been filed, this faculty member has yet to have a response from administration.

**Mr. Papadimos:** I will take that back to administration.

**Senator Quinlan:** I am very concerned about that. I am glad we are addressing this, but I am deeply concerned that "it's a lot of words" and no action.

**Mr. Papadimos:** Okay.

**Senator Barnes:** I think it is especially concerning because one of the findings is how deeply committed the administration is, despite fairly rampant evidence that that's not the case. So how valid are these recommendations, if the woman interviewed 100 people and thinks the administration is seriously concerned about this?

**Senator Edwards:** All you have to do is go to our website and type, "*reporting sexual harassment*," you will never get any direction unless you know to look at compliance or Title IX.

**Mr. Papadimos:** The Police Department handles the case.

**Senator Edwards:** And again, if you are a student, how will you know to fill that out? It's asking for witnesses, their job titles, and their departments, how do you know that if you are a student?

**Mr. Papadimos:** I will take that back to administration. The last recommendation of that section is, the university incorporates the use of an electronic tracking and data maintenance system across campuses, to allow the university to effectively monitor and address sexual misconduct on campus.

**Senator Dowd:** Excuse me, Mr. Papadimos. Getting back to the notes, is there a cluster of complaints within certain departments?

**Mr. Papadimos:** No. These are recommendations that they recommend we implement in order for us to improve our Title IX process.

**Senator Dowd:** I know. But what I don't understand is what "electronic tracking means." We are not talking about putting "bracelets" on student's hands?

**Mr. Papadimos:** No, no, no; there's a system that tracks complaints that have been filed.

**President Hoblet:** I am assuming that it is linked to the "60 days" to make sure things are tracked through the system so they are addressed, followed-up, and the right people are involved, that kind of thing, which I think is a real improvement that they have a transparent tracking system from the time the complaint is entered into the system. Hopefully, it is a self-evident process that students, employees, faculty members, and administrators, anyone who is here could self-evidently enter their complaint and from that hit the submit button that is automatically linked to the tracking system and the clock starts there. That is my hope.

**Senator Dowd:** Thank you.

**President Hoblet:** Well, that is my hope.

**Mr. Papadimos:** (4.) The fourth recommendation relates to education and training provided by the university. The first recommendation is that the university develop and implement a sexual misconduct prevention and awareness campaign that educates students and employees about Title IX process, where and how to report sexual misconduct, the role of the UT Campus Police, how to obtain resources, and how complaints are investigated and adjudicated. And in the Fall, the university is going to be kicking off a prevention and awareness campaign. Another recommendation is that students be educated about the process and get educated about the rights of complainants and respondents. They recommend that the university expand education efforts for students and not just have the training be at the outset, but throughout the student's career, and have multiple locations, and multiple times. Finally, they are recommending that adjudicators and communicators be provided with training on an annual basis. And thus far training has been provided to adjudication panel members; students were taken off the panels for Title IX complaints. Individuals were identified to hear the complaints and they were provided with training and RAs have been trained, as has the Vice President of Student Affairs, Conduct Officer, and the Associate Vice President for Residence Life. (5.) The fifth recommendation relates to the website of the university. The university is basically requesting that we develop a series of electronic data resource guides and provide that on the Title IX website. And again, you are dealing with the Title IX complaint process, reporting options for the complaints.

**Senator Edwards:** It needs to be not titled "Title IX" because people don't know what that means.

**Mr. Papadimos:** Okay. It recommends that the Title IX website be coordinated with web pages created by the Counseling Center, the Police Department, and Student Affairs. (6.) The sixth recommendation is that the university should basically do a climate assessment that goes along with the Climate Assessment on the Women's Center with regard to sexual harassment, including sexual violence. Another

recommendation is that the university should consider holding roundtable discussions to encourage further dialogue about Title IX. (7.) The seventh recommendation relates to a historical case review. This is a review that will also be done by Ballard & Spahr. And basically, we will collect the reports from the Title IX complaints and send them to Ballard and Spahr. The review may consider topics such as communications with parties regarding complaints, provision of interim remedies, preparations of investigatory reports, and the adjudicatory process, as appropriate. In closing, there are certain key initiatives and priorities that the university has indicated. (1.) Streamline and reduce the number of the Title IX-related policies to ensure a clear process and consistent message. (2.) Address staffing levels dedicated to Title IX, including appointment of the Title IX Coordinator with a focus on these issues and assigning three deputy coordinators. (3.) Provide clarity regarding handling of Title IX complaints, including clear timeliness and individual accountabilities throughout the process. (4.) Develop a campus-wide awareness campaign to educate the community on sexual assault prevention as well as prohibited conduct and resources available to survivors.

**Senator Edwards:** If we, faculty members, have students come to us asking how to file a sexual harassment complaint against a fellow faculty member, what should we do? Where should we direct them, right now?

**Mr. Papadimos:** Today, to the Title IX Deputy Coordinator for Students.

**Janelle Schaller:** Mary Martinez.

**Senator Edwards:** So students are supposed to go to Mary Martinez or any of us?

**Janelle Schaller:** Any of us. They will file it with the correct person.

**Senator Edwards:** Okay. So, what form do they use to report?

**Janelle Schaller:** Whatever they need; whatever they want to provide.

**Senator Edwards:** They need to file a report on a form, so what form do they use, and where do they get it, and who do they file it with? I am asking for how to file a complaint?

**Janelle Schaller:** There is a form online on the Institutional Diversity's website.

**Senator Edwards:** It loops you around to Student Affairs; it doesn't go to the form.

**Janelle Schaller:** They're coming up with revisions---

**Senator Edwards:** Okay. So right now, what do you do?

**Janelle Schaller:** [indecipherable]

**Senator Edwards:** Because I asked one of the...this March and she didn't know the answer either.

**Janelle Schaller:** You said you asked in March?

**Senator Edwards:** Yes, she did a report in March and I asked her the same question.

**Janelle Schaller:** To start, you have to fill out an investigation form.

**Senator Edwards:** Where do I find the form to make the complaint to start the report?

**Janelle Schaller:** The Office of Institutional Diversity. Currently, even talking to one of those people there will start the process as long as it is enough information for them to know this is a complaint for sexual harassment.

**Unknown Speaker:** I thought it took 60 days for the report to be finalized?

**Mr. Papadimos:** We will check into that.

**Senator Barnes:** I just wanted to say to my colleagues as one of the 100 people who were interviewed in this process, that very quickly in my experience of that interview, what I realized is this is in response to the Title IX lawsuit but these are not the Title IX investigators; this is the way the university is attempting to figure out how they can win the lawsuit that should be coming at us as a consequence of that. So midway through, lots of these things that I've been asking for in this venue and others for years I found myself in a really difficult position of saying, "do I really want to help my institution get better?" Yes. "do I really want them to get nailed by the Title IX people?" Yes, I do. And so it felt to me like a really difficult and unwinnable situation from the prospect of someone who really would like to see institutional change and has been asking for it for years. And so, with all due respect to you and your efforts to do your job well, my feeling is so much frustration that this is just one more PR effort that is really disguising the lack of commitment to change what we've been asking for, for years. I am sorry, no, I am not sorry that I sound so "PO'd," because I am "PO'd." It is frustrating to say the least.

[Senators' applause]

**Mr. Papadimos:** I would say that the University is committed to addressing this issue.

**Senator Barnes:** If that was true, then this would've been done years ago when we asked for it, period.

**Mr. Papadimos:** It's been on the university's website.

**Senator Humphrys:** There are a lot of absurd parts to this, but the one I will highlight about this report is, am I correct in saying that the university paid for this to be done?

**Mr. Papadimos:** Yes.

**Senator Humphrys:** So we paid for it. So basically, they are coming back and saying, keeping in mind that this organization was paid by us, UT's Title IX process is in shambles. The university's response to that is, we keep the same players in place, but we put another level of people/a person above them. So the people who have created, aided, and abetted, or at least were victims of an incompetent administrative policy or a lack thereof- those people are going to stay involved in this process and we are just going to add another level of administration to oversee them. It just seems ridiculous.

**Mr. Papadimos:** It is a change, because we have a Title IX coordinator who is going to be devoted to Title IX and the responsibilities that go along with it.

**Senator Humphrys:** So the first slide, which I believe said the University of Toledo was deeply committed to adhering to Title IX ; that started when?

**Senator Barnes:** Is there going to be a national search for that position?

**Mr. Papadimos:** It is my understanding that they've been recruiting, however I'll get back with you with the correct answer.

**Senator Barnes:** That would be great if you would. Thank you.

**Senator Relue:** So while you were talking, we were looking (searching "Title IX" via web) to see what we can find. If you type "sexual harassment" you get Title IX and then you get the sexual harassment policy. And in the sexual harassment policy, which was revised in February, it gives you a web address for a pdf form to fill out. If you go to the Title IX site, it gives you a form to fill out, but they are not the same form. Should they be the same form, or is there a separate form if you go to Title IX than if you go just to the harassment policy?

**Mr. Papadimos:** I will have to look into that.

**Senator Edwards:** There are different directions to processes.

**Mr. Papadimos:** I will have to look into that.

**Senator Welch:** [*indcipherable*]

**Senator Edwards:** Yes, but a student doesn't know that "Title IX" means "sexual harassment."

**Senator Welch:** That's correct.

**President Hoblet:** First of all, thanks Janelle, you are the messenger; we know it has come down to you because we have been asking for the report since February since the preliminary report came out. At the beginning of this meeting I voiced my disappointment that we could not get information regarding the preliminary report, and then it went out to the entire university before we could get some information and have questions answered at Faculty Senate. I think that you have a group of people here that are 22 minutes over today's Faculty Senate meeting because we are really concerned. We care about this university and we are frustrated because we don't know how to help those who come to us for help, and that is what I think everyone in this room is voicing, so just know that. Please know that our frustration is not with you two, Janelle and Pete, but we are deeply committed. I believe our current president and our interim provost are committed, however I have great concerns like Senator Humphrys' said, that we have the same players in place that apparently don't understand Title IX on the level they need to, to be able to do a good job. I am not saying any of these people that were named are not willing to do a good job, but apparently they don't have the knowledge, tools, and skills to know what needs to be done to have a comprehensive sexual misconduct assault violence program on this campus, and I think that is what Senator Humphrys was articulating in her statement. I would like you to consider my statement because it might be time for a little change.

**Mr. Papadimos:** I will take that back.

**President Hoblet:** Thank you.

**Past-President Rouillard:** To follow up on Senator Humphrys' comment- at least two-years ago the person who was in the position of being a sexual assault awareness counselor was dismissed, and faculty and students begged and pleaded with administration two years ago for a replacement of that position. It's only when you get a highly paid consultant to do an investigation is when administration takes that request seriously. Apparently, students were affected by that and faculty were concerned about their students and pleaded with administration and it fell on deaf ears.

**Senator Edwards:** And those Faculty Senate Minutes are in the public record.

**Senator Barnes:** Past-President Rouillard, can I make a quick comment regarding your statement?

**Past-President Rouillard:** Yes.

**Senator Barnes:** She wasn't dismissed; she left the university and her position was not filled.

**Mr. Papadimos:** Right.

**Senator Barnes:** It was merged with the Counseling Center.

**Past-President Rouillard:** Okay.

**Senator Barnes:** I don't suppose you can tell us anything about the actual Title IX investigation, about the process, where we are, have people been here? I am not asking, are they finding wrong-doing. I am saying, have the federal Title IX investigators been on campus? What is the process? Are we going to be informed at all about how that's moving along?

**Mr. Papadimos:** My understanding is that the complaint has been filed and we have *not* been served.

**Senator Barnes:** And there's been no follow-up beyond that?

**Mr. Papadimos:** No, not until we get a complaint from the DOE.

**Senator Barnes:** Thank you.

**President Hoblet:** The Department of Education has to serve notice to the University of Toledo.

**Senator Barnes:** And you said it has happened or hasn't happened?

**Mr. Papadimos:** My understanding is that it has been filed, but we have not been served

**Senator Barnes:** Okay.

**Mr. Papadimos:** It's my understanding that it may take six months to a year.

**Senator Barnes:** Thank you.

**Senator Welch:** Can I make a recommendation on the Title IX site?

**Mr. Papadimos:** Yes.

**Senator Welch:** Maybe change it to “sexual harassment awareness,” so just add that in it. Also, I think the names of two other people other than Kevin West should be added to that website – the student rep and the staff rep – so students will know who to go to directly.

**President Hoblet:** That’s a good suggestion.

**Senator Edwards:** You can do that right away.

**Dr. Regimbal:** I have a question. It is my understanding that once the complaint has been filed, you have 90 days to solve the problem, is that correct?

**Mr. Papadimos:** I am not sure I follow you.

**Dr. Regimbal:** If someone files a complaint, sexual harassment, stalking, family violence etc., once that complaint is filed you have 90 days to close the case, right?

**Senator Dowd:** It is 60 days.

**Mr. Papadimos:** Not to close it, but to take it from filing the complaint to the individual sanction, excluding any appeals. The 60 days hasn’t been written in “stone,” that is what the DOE expects.

**Dr. Regimbal:** So until the Department of Education serves the university---

**Mr. Papadimos:** That’s a whole separate matter.

**Dr. Regimbal:** I got it. So, if we have students that have concerns and they tell us and a complaint is filed, is the university responsible for closing the issue in 60 days? How does that work, because I would like a better understanding?

**Mr. Papadimos:** Are you talking about an internal complaint or an external complaint?

**Dr. Regimbal:** If a student on campus is raped and that student comes and talks to me about it and the student files a complaint, does the university become notified that the student has been assaulted? Don’t we have 60 days to settle the issue?

**Mr. Papadimos:** Those are the guidelines from the federal government and that is what we will be shooting for.

**Dr. Regimbal:** So where does the Department of Education come into this?

**Mr. Papadimos:** That doesn’t have anything to do with if the complaint has been filed with the DOE itself. We are talking 60 days about an internal complaint.

**Dr. Regimbal:** I got it.

**President Hoblet:** Mr. Papadimos, just to be clear, my understanding is if an individual has filed a complaint internally within an organization and is not satisfied with how it’s been handled, then they can file with the federal government?

**Janelle Schaller:** It can be either/or. They do not have to wait; they do not have to use the internal process first, they can do one or both.

**President Hoblet:** Thank you; that is perfect, Janelle. So it doesn't have to be a sequence?

**Janelle Schaller:** No.

**Senator Barnes:** Just to add to that training requirement, I think it is really obvious that all of us feel ill-prepared and those of us who feel passionately are not sure if we are required to inform people. What's the best protocol for this? And again, this is what we've been asking for, for a really long time- faculty development, staff development, and student development, all of us; it's a community effort, really.

**Senator Relue:** So we go to the Title IX page and we click to file a complaint; are we filing an internal complaint or are we filing an external complaint? It says Title IX at the top.

**Mr. Papadimos:** An internal complaint.

**Senator Relue:** But, how does a student know what they are doing when it says Title IX? I think it should be very clear, because it wasn't clear to us in terms of there's two separate processes, so how do you know which one you are in and which one you should do?

**President Hoblet:** And shouldn't they be notified that they can do both?

**Senator Barnes:** This is where we really needed the sexual assault education and prevention person who can tell the student survivor, if you do "this" then an automatic investigation will be triggered; if you do "this" it will not, and if you do "this" the police will get involved." This is something that students really need when making their decisions for what's best for them.

**Unknown Speaker:** That is right.

**Mr. Papadimos:** And I think that is why we want to create one Title IX coordinator and a deputy coordinator who will assist in those situations. And also, in regards to who is responsible for reporting, that has to be worked out, because under the law if you have authority to address a matter of sexual violence, or you are given the duty as an employee to report that, or if the students believe they have the authority to address, or the duty to report the issue, then you are considered a responsible employee and you have the duty to report.

**Senator Barnes:** I would be curious to know just how many folks in this room know whether we are or are not responsible.

**Senator Edwards:** So does that mean if a student comes to me with a complaint and wants to file a sexual harassment complaint against a fellow faculty member, that I am obligated to report if the student doesn't?

**Mr. Papadimos:** If the definition is worked out that way for "responsible"---

**Senator Grey:** One thing that I can say by being a nurse, and there are a few of us in here from the College of Nursing- we always have that duty to report.

**Mr. Papadimos:** One other thing that puts more responsibility on you is there is a reporting requirement for felonies in Ohio.

**Senator Humphrys:** Which I think brings us back to the point that, we have to, from a personal liability standpoint, rely on the university to have a really strong system in place because if I have some personal responsibility and report it and nothing happens then, will it come back on me? And to clarify what I was saying earlier- I understand the advantages of having one person in charge and then other deputies, but what I am saying is why are these deputies in place when they really may not be the best people. We're assuming that things will get better because we put an extra layer of administration above them. Maybe they should be reevaluated.

**Mr. Papadimos:** I don't think they are different. I think we need a head Title IX coordinator and then we need more than one person to do it.

**Senator Humphrys:** And I don't argue with that; I am saying, are those the correct people from their background in handling situations? I mean, let's face it, it was in the Title IX investigation report when one of those people said "...this sexual assault was not of the magnitude to warrant the student to be dismissed" or something to that effect. To me that is worrisome that we have someone even at a deputy level, or whatever we are calling that, who has an opinion that there are different levels of sexual violence.

**President Hoblet:** Thank you. Mr. Papadimos and Janell, thank you very much. We really want to get this strengthened for our faculty, student, staff, and administration. We want a trusting community where people...and make things better. Thank you.

May I have a meeting to adjourn? Meeting adjourned at 6:35 p.m.

IV. Meeting adjourned at 6:35 p.m.

Respectfully Submitted by:

Lucy Duhon

Faculty Senate Executive Committee

Tape Summary: Quinetta Hubbard

Faculty Senate Administrative Secretary