

**Ohio University Faculty Senate
Minutes for Monday, May 11, 2009.
Room 235, Margaret M. Walter Hall, 7:10 p.m.**

Sergio López-Permuth called the meeting to order at 7:12 PM.

In attendance:

College of Arts and Sciences: D. Bell, K. Brown, G. Buckley, S. Gradin, P. Jung, J. Lein, S. López-Permuth, G. Matlack, J. McLaughlin, R. Palmer, B. Quitslund, W. Roosenburg, D. Torres, J. Webster

College of Business: A. Gupta for T. Stock

College of Education: V. Conley, T. Leinbaugh

College of Engineering: C. Bartone, J. Giesey,

College of Fine Arts: A. Reilly, E. Sayrs, L. Steele, D. Thomas, R. Wetzel

Group II: C. Naccarato

College of Health and Human Services: D. Bolon, J. Thomas

College of Osteopathic Medicine: P. Coschigano

Regional Campus—Chillicothe: J. McKean

Regional Campus—Eastern: T. Flynn

Regional Campus—Lancaster: P. Munhall

Regional Campus—Southern: M. Crawford for E. McCown

Regional Campus—Zanesville: K. Collins, J. Benson

Scripps College of Communication: J. Bernt, N. Pecora, J. Slade, S. Titsworth

Excused: T. Anderson, A. Smith, D. Matolak

Absent: S. Patterson, W. Gist, L. Hoshower, H. Pasic, A. Hall, S. Marinellie, T. Heckman, S. Hatty, S. Brogan

Newly Elected Senators in Attendance:

Arts and Sciences: C. Elster, D. Ingram, M. Holt, S. Hays, C. Kalenkoski, J. Gilliom, J. McLaughlin, W. Roosenberg

Business: R. Frost

Education: T. Franklin

Engineering: J. Giesey, J. Dill

Fine Arts: M. Phillips

Group II: M. Sisson, H. Burstein

Health and Human Services: M. Li

Osteopathic Medicine: J. Wolf

Regional Campus—Chillicothe: J. McKean

Regional Campus—Eastern: J. Casebolt

Regional Campus—Lancaster:

Regional Campus—Southern: E. McCowan

Regional Campus—Zanesville: M. Nern

Scripps College of Communication: G. Newton

Newly Elected Senators Absent: C. Wolfe

Overview of the Meeting:

- I. Provost's Report. Kathy Krendl
 - II. Roll Call and Approval of the April 13, 2009 Minutes
 - III. Chair's Report – Sergio López-Permouth
 - IV. Election of Faculty Senate Officers—Norma Pecora
 - V. Finance and Facilities (FFC)—Joe McLaughlin
 - VI. Promotion and Tenure (P&T)—Peter Coschigano
 - VII. Educational Policy and Student Affairs Committee (EPSA)—Scott Titsworth
 - VIII. Professional Relations Committee (PRC)—Sherrie Gradin
 - IX. New Business
 - X. Adjournment
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Minutes of the meeting

I. Provost's Report—Kathy Krendl

Krendl noted that her full report was available online on the EVPP's website (<http://www.ohio.edu/provost/>).

- Update on the Task Force on Centers of Excellence: Appeals have been completed and the report has been updated online, including changes to the ratings of five programs and the inclusion of dissenting statements. She again thanked members of the committee for their work.

- Academic restructuring: Five proposals were received from HHS faculty in response to the white paper; these are posted on the EVPP website. The Deans have met with faculty, and will deliberate each proposal.

- Recruitment and Enrollment: There are 14,062 freshman applications, up 138 from this time last year (a new record). Nonresident applications are up 15 from last year. Quality appears to be higher than last year, with an average high school G.P.A. (for applicants) of 3.28, and an average ACT of 23.38. Applications from targeted populations are higher as well: multicultural applications are up by 280 and international applications up by 197. We have received 37 more housing deposits compared to this point last year. Applications for transfer students are up by 238. Health and Human Services, Arts and Sciences, and Engineering and Technology have seen largest increases in applications.

- Faculty Salary Update: The faculty salary comparison table in the EVPP's full report online now includes national salary data.

- Budget: We are currently in a holding pattern. State tax revenues are down more than expected, with a state budget deficit projected. Covering the gap with most of the state's rainy day fund leaves next year uncertain. It is hoped that the state share of instruction will be protected, but line items may be vulnerable.

Questions for Krendl

Joe Bernt asked when we will know if there is a faculty salary increase for next year. Krendl replied that the university has not budgeted for one.

This was Krendl's last report to the Faculty Senate before leaving OU, and she thanked the Faculty Senate for their work and support.

II. Roll Call and Approval of the April 13, 2009 Minutes

A motion to accept the minutes from the April 13, 2009 was approved by a voice vote.

III. Chair's Report – Sergio López-Permouth

López-Permouth asked **Hugh Bloemer** to report on the May 8th, 2009 meeting of the Ohio Faculty Council.

Bloemer reported the following: 1) There is general concern about the funding formula's emphasis on graduation rates, and about grade inflation over the past 30 years. 2) A distance-learning plan is being formulated for the University System of Ohio. Each institution has been asked to send two representatives to a meeting May 28th. The OFC preferred that faculty with experience in distance learning be included, rather than administrators. 3) There are new bylaws for membership in the OFC. Members must have faculty status with no administrative rank higher than department chair. The Chair will serve a two-year term, while other officers will serve a one-year term. Members from each institution are the current and past chairs of the Faculty Senate, and one alternate. 4) Experts in rail service were consulted by OFC. They recommended developing a passenger rail service to connect Ohio's universities and colleges, OHERN (Ohio Higher Education Rail Network), to be funded by an annual fee paid by students, staff, and faculty at each institution. It remains to be seen whether this will be feasible. 5) Campus reports: All reported expecting cuts between 3-10%. OSU is considering 12-week semesters. Akron and Cincinnati are both in the midst of major fund-raising campaigns. UC is searching for a new president.

López-Permouth continued the Chair's report:

López-Permouth reported that faculty are being included in some discussions, and gave two examples. **López-Permouth** was consulted about who should be included in discussions regarding graduate faculty. He was also consulted about a federal statute that requires universities to post which texts are going to be used in each class we offer, which can be harder to do than it seems. Conversation has been initiated about this from the registrar's office, and will include faculty.

On the other hand, **López-Permouth** noted that faculty are not being included in some other important conversations. The issue of conducting background checks for new employees is again being raised. Several years ago, discussions with faculty led to a sense of agreement about this, and some resolutions were passed; now as the issue is being revisited, faculty participation has faded out, and we are working to make sure that faculty are included. There have been some productive conversations about this with the chairs of administrative senate and classified senate; administration and faculty senate executive committee have also had some conversations. There was goodwill in these meetings, and **López-Permouth** received a message from **Decatur** today acknowledging problems with the process and saying he was willing to address those issues.

Berhard Debatin clarified that there was a university-wide committee that addressed this in 2007; they developed a proposal, legal affairs made some minor adjustments, and then it disappeared. Now administration and Deans are starting over from an older proposal that would

require full background checks for all faculty positions; the new proposal was circulated not to faculty, but to Deans and some Chairs. FS needs to make sure faculty senate has input, and should go back to the proposal put forward by the previous committee. **Anne Fidler** said the proposal was sent to Deans to be sent to chairs and directors, who were to then send it to faculty. **J. Bernt** said current version would require a background check (“trigger a criminal investigation”) when faculty members went up for associate professor and full professor, and this was a critically important issue. **Debatin** responded to **Fidler** that the proposal was sent to Deans to send to chairs and directors, but not explicitly to faculty. **Fidler** responded that she would send out an email the next day clarifying that the proposal should be circulated to faculty.

López-Permouth reported that participation in and enthusiasm for senate elections was high this year, and welcomed the new senate members.

IV. Election of Faculty Senate Officers—Norma Pecora

Pecora thanked the members of the committee, **Tom Flynn** and **Willem Roosenburg**. She noted that nominations could be made from the floor, and that only continuing and new senators were eligible to vote.

The candidates for Chair of Faculty Senate were **Ken Brown** and **Joe McLaughlin**. **Joe Slade** and **Tracy Leinbaugh** spoke on behalf of **Brown**. **Allyn Reilly** and **Sherrie Gradin** spoke on behalf of **McLaughlin**. There were no nominations from the floor. **Roosenburg** moved to close nominations; **Slade** seconded the motion; motion carried on unanimous voice vote. **McLaughlin** was elected by secret paper ballot.

The candidate for Vice-chair of Faculty Senate was **David Thomas**. **Jeff Giese** and **Joe McLaughlin** spoke on behalf of **Thomas**. There were no nominations from the floor. **Beth Quitslund** moved to close nominations; **Slade** seconded the motion; motion carried on unanimous voice vote. **Gradin** moved to vote by acclamation; **Reilly** second the motion; motion carried by unanimous voice vote. **Thomas** was unanimously elected Vice-chair by voice vote.

The candidate for Secretary of Faculty Senate was **Elizabeth Sayrs**. **Peter Coschigano** and **Thomas Flynn** spoke on her behalf. There were no nominations from the floor. **Roosenburg** moved to close nominations; **Glenn Matlock** seconded the motion; motion carried on unanimous voice vote. **Gradin** moved to vote by acclamation; motion carried on unanimous voice vote. **Sayrs** was unanimously elected Secretary by voice vote.

V. Finance and Facilities (FFC)—Joe McLaughlin

- Resolution on Health Care Increases (for second reading and vote)

McLaughlin began by announcing that the previous resolution has been separated in two: this resolution is now a sense of the senate resolution on the recent increase in the cost of health benefits that were not approved by the FS, as required by the Faculty Handbook. **President McDavis** came to Senate in January and apologized for this oversight the last time health care cost increases were made without FS approval. On March 9, 2009, FS passed a resolution to cover the actual projected deficit with \$860,000 in increases, but did not approve the BPC request for \$3 million in increases (<http://www.ohio.edu/facultysenate/>). The President

then announced \$2.1 million in increases without FS approval. This resolution will let us go on the record.

Ken Brown said that he was glad to see we are no longer approving or disapproving the increases *ex post facto*, but was concerned that the resolution as written doesn't have "teeth," and would like stronger language; the current resolution reads more like a public announcement. **McLaughlin** explained that the resolution does note that the increases were implemented without approval. **Chris Bartone** asked if we could include a request for it to be undone? **Slade** concurred, arguing that it would seem less like an exercise in futility if we had an action attached. **Roosenburg** was comfortable with this and would accept this as a friendly amendment. **Beth Quitslund** noted that the resolution then stops being as sense of the senate resolution and becomes a regular resolution. **Bartone** suggested we ask the administration to rescind the \$2.1 million? **Quitslund** pointed out that the amount to rescind should be the portion of the \$2.1 million that exceeds senate approval. **Bartone** added that the resolution should be as specific as possible by including the \$860,000 amount as well as the changes that were approved by FS in the March 2009 resolution.

The resolution was amended to include: "Be it further resolved that the administration rescind the portion of the \$2.1 million in University cost savings that exceeds the \$860,000 in changes that received Faculty Senate approval (mandatory generic drug, mandatory mail order, premium charged to highest paid OU spouse)." **Charles Naccarato** asked whether changing the name of the resolution [removing "sense of the senate" from the title] would mean that the resolution would then require the Provost's signature? **McLaughlin** answered, "Yes." **McLaughlin** then asked, "Without objection, can we move to a vote?" By consensus, a voice vote was taken. The resolution passed unanimously.

- Resolution to Clarify Handbook on Health Benefits Contributions (for second reading and vote)

McLaughlin noted that a redundant equal sign was removed for this version of the resolution. He explained that language in the handbook relating to health benefits contributions has been open to interpretation because of the use of multiple terms such as "premium payments," "total contributions", "employee contribution rates"; the primary question is whether only premium changes need to be presented and approved by the FS, or whether all changes that affect faculty contributions to total health care costs need to be presented and approved. Research done by FFC has shown that the historical interpretation required that changes to total contributions be approved, not just changes to premium rates. This practice has lapsed in recent times, and the resolution is an attempt to reaffirm the historical interpretation. Interpretation of this section is also slippery because of the difference between what faculty senate thinks of as the total health care budget (which includes not only premiums but what we pay out of pocket for co-pays and the like), versus what administration thinks of as the total health care budget (which includes premiums and the university's contribution, but not faculty out-of-pocket costs, etc.) Hearing no objection, **McLaughlin** called for a vote. The resolution passed unanimously by voice vote.

- Resolution on Early Retirement for ARP Faculty (for second reading and vote)

McLaughlin explained that this resolution clarifies that all faculty are eligible for the OU's early retirement program, whether the faculty member is in the STRS or the ARP retirement plan. Changes from the first reading included adding "University's" in front of "Early Retirement" to clarify that this is OU's retirement program, and not related to STRS or ARP retirement plans. **Bartone** noted that part of the university's contribution for the ARP goes to STRS, and STRS recipients get health benefits; why wouldn't ARP members get health benefits as well? **McLaughlin** explained that this unequal distribution was part of legislation, and that the university doesn't have control over this. **Valerie Conley** said that choosing a retirement plan is complex; the only real goal of this resolution is not to exclude ARP people from participating in early retirement, and leaving out references to STRS would be clearer. **Marty Tuck** responded that we need eligibility defined the same as for STRS. **Conley** asked whether we could remove last sentence [the reference to STRS]?

McLaughlin responded that the last sentence was necessary to clarify that this resolution is not at all related to STRS benefits, but to eligibility for OU's early retirement benefit. **Ken Brown** asked whether "early retirement benefit" is the official name of the program? **Brown** also asked whether any ARP faculty are using the early retirement program now? **Tuck** and **McLaughlin** said that there are some, and they are currently applying STRS's retirement eligibility requirements. By referring to STRS's eligibility requirements, OU's eligibility requirements will automatically change if STRS's requirements change. **Allyn Reilly** asked whether the university was committed to the early retirement program, especially with the change to semesters. **McLaughlin** responded that he didn't know, and that this would have to be addressed. He also noted that the handbook calls this the "early retirement policy." **Conley** proposed the term "program" instead of "policy" or "benefit" to avoid confusion; **Brown** concurred; **Tuck** also preferred "program"; all references in the resolution were changed to "program." **Bartone**, **McLaughlin**, and **Tuck** discussed retirement contributions under the early retirement program. Hearing no objections, **McLaughlin** called for a vote. The resolution passed unanimously by voice vote.

VI. Promotion and Tenure (P&T)—Peter Coschigano

- A resolution to clarify the grievance procedures for nonreappointment and for denial of promotion and/or tenure (for second reading and vote)

Coschigano explained that the resolution includes two major changes to the P & T appeals process. 1) Changes to the deadlines section were made to clarify that deadlines for administrators are calendar days, but deadlines for faculty-related items do not include breaks, holidays, etc. Deadlines for the President to respond were also added. 2) The appeal process was streamlined by eliminating multiple loops back to the department in cases that were denied at the departmental level. Now the department can see a case three times (the original decision, the appeal at the departmental level, and then after the level that first supports the appeal); in the current appeals process, the department could see a case up to five times. **Brown** asked what exactly would be different in a tenure appeal next year compared to this year. **Coschigano** replied that in cases where P & T is denied at the department level, the candidate appeals to the department (this will stay the same). If department denies again, and the Dean then supports the appeal, it goes back to the department (this will stay the same). But if the department denies

again, but the Provost then supports the appeal, the case will go directly to the FS P & T committee rather than back to the department. The department will see the case a maximum of three times. **Brown** and **Coschigano** then went through the process for all of the combinations of support or denial at various levels. **Brown** said that the formal hearing was superfluous because a P & T did not need the support of the department at that point. **Coschigano** explained that the formal hearing is a separate process that occurs after the FS P & T committee supports the request for a hearing; right now the handbook contradicts itself by saying P & T has to originate in a positive recommendation of the department because it also says that the formal hearing and presidential decision can lead to P & T. **Brown** said that he had a problem with the idea that a formal hearing committee was in a better position to make a P & T decision than the department. **Coschigano** reiterated that this is not a change; the handbook currently allows this. Section F says that the recommendation of the formal hearing committee goes to the President, and he makes the decision, so there is a disconnect between requiring P & T to originate in a positive recommendation of the department, and the mechanism to override the department in section F. Discussion with **Slade**, **Brown**, **Tuck** and **Coschigano** clarified that a formal hearing is not automatic, but must be approved by the FS P & T committee, and that the President can override the recommendation of the formal hearing committee. But the case can only proceed to a formal hearing, and thus to the President, if the appeal is supported by the FS P & T committee. **Thomas Flynn** noted that the FS P & T committee evaluates only due process, academic freedom, and inadequate consideration, not the merits of the case. A formal hearing is different. **Bartone** asked whether the case ended when it was denied at departmental committee level? **Coschigano** reiterated that the candidate could still appeal, and then follow the appeals process up the chain. The resolution just reduces the maximum number of times the department will see the case from five to three. Hearing no objection, **Coschigano** called for a vote. The resolution passed unanimously by voice vote.

- Resolution on promotion and tenure guidelines (for second reading and vote)

Coschigano reported that the main changes from the first reading included removing the term “metrics,” and making clear that criteria can be qualitative or quantitative; clarifying the mid-probationary period review; and clarifying the interdisciplinary section. **Willem Roosenburg** asked whether we could consider a friendly amendment to specify how frequently negotiations can occur in the interdisciplinary section, perhaps annually. **Norma Pecora** asked whether the section discussing credit toward tenure prior to beginning work at OU could be made less obligatory. **Coschigano** responded that the resolution is not about actually giving credit toward tenure, but how activity from those credited years is counted toward P & T. **Tuck** added that this means there is already a shortened clock. **Coschigano** said that this was to prevent requiring faculty to produce six year’s worth of scholarly/creative activity in three years. **McLaughlin** asked how this interacted with the guideline for mid-probationary period evaluation? **Glenn Matlock** responded that one or two years’ credit toward tenure was typical; the committee intentionally used the term “midway” to be flexible. **Coschigano** added that the language in the resolution is “should”; if a faculty member comes in with five years’ credit, it does not make sense to do an evaluation in six months. **Patrick Munhall** said that under the interdisciplinary section, adding “annually” makes it seem like annual re-evaluation is obligatory, but it could be at the discretion of the faculty member and department.

James Lein noted that interdisciplinary programs are very different, so does this cover cases where interdisciplinary work is part of the employment contract? **Thomas Flynn** asked whether the concern was in cases where interdisciplinary work was not part of the hire. **Lein** responded that in part this was the case, because there is no formalized structure; can we include “at time of hire” or “contractual”? **Coschigano** responded that the committee’s intent is to make sure candidates know what counts and what doesn’t in the P & T process. **Ruth Palmer** appreciated the flexible, case-by-case approach to defining interdisciplinary work. **López-Permouth** suggested language that includes both the faculty member and department as responsible for communicating about this. **Joe Bernt** noted there are many differences between interdisciplinary programs, e.g. an economics course could be taught by a women’s studies faculty member. **Coschigano** answered that similar issues arise in many situation, e.g. in teaching non-major courses, but the resolution does not address this. **Matlock** reiterated that the goal is to be flexible and practical, and this is simply trying to ensure that there is an *a priori* agreement about which interdisciplinary activities count toward tenure. **Miki Crawford** noted that a similar issue arises with non-interdisciplinary programs. **Matlock** noted that this situation in not covered in the resolution, and **Flynn** suggested it could be addressed in a future resolution. **López-Permouth** asked whether “participation in interdisciplinary programs” should be changed to “interdisciplinary activities,” and whether you could claim the same problem with service courses? **Coschigano** suggested including interdisciplinary programs and activities, or other programs, to cover the scenario raised by **Crawford**. **Brown** concurred. **Stephen Patterson** added that this could include developing programs on regional campuses, and could be very far-reaching in terms of getting credit where credit is due. **López-Permouth** proposed language to encourage proactive communication; **Matlock** responded that the committee was concerned about negotiating retroactively. **Pecora** asked whether it could be part of the annual review; **Coschigano** responded that making it part of the annual review would still allow it to be a retroactive agreement. **Roosenburg** suggested adding the term *a priori*. **Bernt** said that departments do not negotiate, and asked who was responsible for making sure this happens. **Flynn** responded that the term “department” is broad enough, and **Coschigano** added again that these are guidelines, not strict requirements. **Conley** noted that this would interact with workload issues. Hearing no objection, **Coschigano** called for a vote. The resolution passed unanimously by voice vote.

• **Vice-chair Dave Thomas** expressed appreciation for outgoing Student Trustee **Tracy Kelly**. He explained that **Kelly** has fought for the primary concerns of this faculty and has been one of the best student representatives on the Board of Trustees he has ever seen. FS expressed its appreciation with applause.

VII. Educational Policy and Student Affairs Committee (EPSA)—Scott Titsworth

• Resolution to Eliminate the Catalog Rule on Retaking Prerequisites (for second reading and vote)

Titsworth explained that this resolution eliminates catalog language in order to allow the retaking of prerequisites courses. There are minor typographical changes from the previous version of the resolution. **David Ingram** confirmed that the resolution does not prevent a

department from putting prerequisites in place and enforcing them. **Titsworth** concurred. Hearing no objection, **Titsworth** called for a vote. The resolution passed by voice vote.

- Resolution on Graduate Contract Grievance Resolution (for first reading)

Titsworth reported that Graduate Council has pointed out that language in the faculty handbook is inconsistent with their policies, and recommended that we remove this language. It is cleanest is to eliminate this section altogether. Doing this cedes power about grievances explicitly to Graduate Council (rather than the Graduate Senate). The Graduate Student Senate has agreed to this. **Sherrie Gradin** asked whether the faculty handbook is a contract for graduate teaching associates as well as for us? **Titsworth** responded that he did not know. **David Ingram** added that if GTA's are instructors of record, they might be bound by the faculty handbook. **Titsworth** asked whether there was any reason faculty senate should make decisions about this rather than Graduate Council, and asked faculty to discuss this issue with members of their graduate programs. **Titsworth** will follow up to see if this language does need to stay in the faculty handbook or can be referred to Graduate Council.

- Resolution on Graduate Council Composition (for first reading)

Titsworth explained that this resolution cleans up the composition of Graduate Council to make it consistent with changes suggested by a Graduate Council resolution approved April 1, 2009. The resolution also clarified that "faculty member" means someone with faculty status.

VIII. Professional Relations Committee (PRC)—Sherrie Gradin

- Resolution to Restrict Number of Department Chairs and School Directors on Dean Evaluation Committees (for first reading)

Gradin moved to withdraw the resolution; the resolution was withdrawn without objection.

IX. New Business

- Resolution to Censure – Ken Brown (for second reading and vote)

Brown explained that because the annual review of the President is currently in progress, in order not to prejudice this review, he would like to postpone a vote on this resolution until the June 8th FS meeting. The resolution was postponed definitely to June 8th.

X. Adjournment

Reilly moved that the meeting be adjourned; **Coschigano** seconded the motion; the meeting was adjourned at approximately 9:40 p.m.

**RESOLUTION
ON THE INCREASE IN HEALTH BENEFITS COSTS FOR EMPLOYEES**

Finance and Facilities Committee

May 11, 2009

Passed

Whereas the University administration increased employee health care contributions in FY08 by \$1.5 million without securing Faculty Senate approval, as required by the *Faculty Handbook* (III.A); and

Whereas the President informed Senate in January, 2009 that this had occurred due to an oversight; and

Whereas the President, on March 13, 2009, announced \$2.1 million in University cost savings on health care for FY10 that included substantial cost shifts to employees including a spousal surcharge, a new deductible, and increases in office visit co-pays and co-insurance limits; and

Whereas only \$860,000 of these changes (mandatory generic drug, mandatory mail order, premium charged to highest paid OU spouse) were approved by Faculty Senate;

Be it resolved that Faculty Senate declares that the administration of Ohio University has once again violated the *Faculty Handbook*, this time knowingly, by increasing employee health benefits costs (total contributions) without Faculty Senate approval.

Be it further resolved that the administration rescind the portion of the \$2.1 million in University cost savings that exceeds the \$860,000 in changes that received Faculty Senate approval (mandatory generic drug, mandatory mail order, premium charged to highest paid OU spouse).

**RESOLUTION TO CLARIFY *FACULTY HANDBOOK* LANGUAGE
ON EMPLOYEE HEALTH BENEFITS CONTRIBUTIONS**

Finance and Facilities Committee

May 11, 2009

Passed

Whereas the *Faculty Handbook* requires changes in employee benefits contributions to be approved by Faculty Senate each year, and

Whereas the current *Faculty Handbook* language uses a number of terms (“premium,” “total contributions,” and “contribution rates”) that have been open to misinterpretation,

BE IT RESOLVED that the *Faculty Handbook* (III.A), which now reads

“The University provides two health plan options for Faculty. Premium payments under this plan are partially or totally made by the University with the understanding that increases in the premium are considered as part of the annual discussion concerning faculty compensation increases. The total contributions of all employees will be limited to 10% (or less) of the medical monthly dollar factor on an annual basis (the medical monthly dollar factor includes medical costs, prescription costs, and various administrative fees). Any changes to the employee contribution rates must be presented to the Faculty Senate for approval each year,”

be revised to read as follows:

“The University provides a health benefits plan for Faculty. Premium payments under this plan are partially or totally made by the University with the understanding that increases in the premium **and employee out-of-pocket costs** are considered as part of the annual discussion concerning faculty compensation increases. **Premium payments by employees will not exceed 10% of the University’s total health care budget. Out-of pocket costs include co-insurance, co-pays, deductibles, and any other health benefit costs that are paid by employees. Total employee contributions are defined as the sum of employee health care premiums plus employee out-of-pocket costs. Total employee contributions will be limited to 20% (or less) of the sum of the University’s total health care budget plus total employee out-of-pocket costs. The following equation expresses the preceding:**

$$A / (A + C) \leq 0.1$$

And

$$(A+B) / (A +B+C) \leq 0.2,$$

Where,

A = Employee health care premiums

B = Employee out-of-pocket costs, and

C = University’s funding of the health benefits budget.

Any changes to **total employee contributions** must be presented to the Faculty Senate for approval each year.”

**RESOLUTION TO EXTEND EARLY RETIREMENT PROGRAM TO ALL TENURED
FACULTY**

Finance and Facilities Committee

May 11, 2009
Passed

Whereas the *Faculty Handbook* defines eligibility for the Early Retirement program for Group I faculty in terms of one's eligibility "for retirement under the STRS" (Section III.R "Early Retirement Policy"); and

Whereas Ohio University has had an Alternative Retirement Plan (ARP) in place for faculty for the last decade, in which approximately 30% of our faculty are now enrolled;

Be it resolved that the Faculty Senate recommends extending the Early Retirement program to all Group I by amending the *Faculty Handbook* as follows:

Current Language (Section III.R.1)

1. General: "A tenured faculty member eligible for retirement under the STRS and wishing to continue to teach part-time may elect to do so under the early retirement policy."

Proposed Language (Section III.R.1)

1. General: "A tenured faculty member eligible for retirement under the STRS and wishing to continue to teach part time may elect to do so under the early retirement policy. **Those faculty enrolled in the Alternative Retirement Plan (ARP) will be eligible for the University's Early Retirement program if they meet the same eligibility requirements as those enrolled in STRS. Faculty enrolled in the ARP are not eligible for those benefits that STRS employees receive from STRS.**"

RESOLUTION TO CLARIFY THE GRIEVANCE PROCEDURES FOR
NONREAPPOINTMENT AND FOR DENIAL OF PROMOTION AND/OR TENURE

Promotion and Tenure Committee
May 11, 2009
Passed

Whereas Cases heard by the Faculty Senate P & T Committee in the Fall of 2008 have identified problems in the language of the faculty handbook. And

Whereas The appeal process as presented in the faculty handbook (Section II.F) should be streamlined so that a final decision can be reached in a timely manner. And

Whereas Language in Section II.F of the faculty handbook should be changed to reflect the quarters to semesters transition as well as current technology.

Be it resolved that Section II.E.4 of the faculty handbook shall be changed as follows:

All awards of tenure and all promotions in rank must originate in a positive recommendation by the appropriate departmental committee or after a formal hearing and presidential review in cases that have gone through the grievance procedure as in Section II.F.

Be it further resolved that Section II.F of the faculty handbook shall be replaced by the following:

F. Grievance Procedures for Nonreappointment and for Denial of Promotion and/or Tenure

1. If a faculty member believes there is cause for grievance relative to nonreappointment or denial of promotion and/or tenure, an appeal of a negative decision may be initiated at the level at which the decision was made, i.e., either within the department, or at the level of the dean or of the Executive Vice President and Provost (Provost hereafter). Should the appeal be denied at any of these levels, the faculty member may take the appeal to the next level. The grievance can involve one or more of the following allegations: inadequate consideration, denial of due process (including failure to follow designated procedures), or denial of academic freedom.
- 2 a. Denial at the Department/School level

If the denial occurs at the department/school level, the faculty member must direct their appeal to the appropriate departmental/school committee through the department chair/school director. If the appeal is denied the faculty member may then appeal to the dean. If the dean supports the appeal the case will be returned to the department/school for reconsideration. If the department/school again denies the appeal the faculty member may continue the grievance process by appealing the case to the Provost. If the Provost supports the appeal the case will be forwarded to the Standing Committee on Promotion and Tenure of the Faculty Senate. If the Standing Committee on Promotion and Tenure of the Faculty Senate supports the appeal, the case may proceed to the formal hearing unless the faculty member withdraws the appeal (see Section II.F.7).

If the dean denies the appeal the faculty member may continue the grievance process by appealing the case to the Provost. If the Provost supports the appeal the case will be returned to the department/school for reconsideration. If the department/school again denies the appeal the faculty member may appeal to the

Standing Committee on Promotion and Tenure of the Faculty Senate. If the Provost denies the appeal, the faculty member may appeal to the Standing Committee on Promotion and Tenure of the Faculty Senate. If the Standing Committee on Promotion and Tenure of the Faculty Senate supports the appeal, the case may proceed to the formal hearing unless the faculty member withdraws the appeal (see Section II.F.7).

If the dean and the Provost deny the appeal the faculty member may appeal to the Standing Committee on Promotion and Tenure of the Faculty Senate. If the Standing Committee on Promotion and Tenure of the Faculty Senate supports the appeal, the case will be returned to the department/school for reconsideration. If the department/school again denies the appeal the case may proceed to the formal hearing at the request of the faculty member (see Section II.F.7).

b. Denial at the Dean level

If the department/school voted in favor of granting promotion and/or tenure but the dean denies the case, then the faculty member must direct the appeal to the dean. If the dean denies the appeal the faculty member may appeal to the Provost. If the Provost supports the appeal the case will be forwarded to the President for consideration. If the Provost denies the appeal, the faculty member may appeal to the Standing Committee on Promotion and Tenure of the Faculty Senate. If the Standing Committee on Promotion and Tenure of the Faculty Senate supports the appeal, the case may proceed to the formal hearing unless the faculty member withdraws the appeal (see Section II.F.7).

c. Denial at the Provost level

If the department/school and dean were in favor of granting promotion and/or tenure but the Provost denies the case, then the faculty member must direct the appeal to the Provost. If the Provost denies the appeal, the faculty member may appeal to the Standing Committee on Promotion and Tenure of the Faculty Senate. If the Standing Committee on Promotion and Tenure of the Faculty Senate supports the appeal, the case may proceed to the formal hearing unless the faculty member withdraws the appeal (see Section II.F.7).

d. Deadlines

The initial appeal by the faculty member must be made within 45 calendar days from the date of notification of nonreappointment or denial of promotion and/or tenure; subsequent appeals to higher administrative levels including to the Standing Committee on Promotion and Tenure of the Faculty Senate must be made within 30 calendar days of the receipt of the response at the previous level. These deadlines are to be interpreted as excluding winter intersession, the summer

term, and breaks between terms. Additionally, if the deadline falls on a weekend or holiday the next workday shall be considered the deadline.

Responses to appeals on the part of the dean or Provost are to be made within 30 calendar days of receipt of the appeal. If the deadline falls on a weekend or holiday the next workday shall be considered the deadline. Responses to appeals on the part of the department/school or Standing Committee on Promotion and Tenure of the Faculty Senate are to be made within 30 calendar days of receipt of the appeal excluding winter intersession, the summer term, and breaks between terms. If the deadline falls on a weekend or holiday the next workday shall be considered the deadline. Appeals at the departmental level are to be directed through the departmental chair to the chair of the departmental committee responsible for promotion, tenure, or nonreappointment recommendations. The departmental chair is responsible for conveying the decision of the committee to the person making the appeal. In cases in which positive recommendations of departmental promotion and tenure committees are not sustained at the level of the dean or of the Provost, the committees shall enjoy the right to support faculty appeals including providing supporting documentation.

A faculty member, who remains dissatisfied with the status of the grievance following the issuance of the report of the Standing Committee on Promotion and Tenure of the Faculty Senate, may, within 45 calendar days, petition the Standing Committee on Promotion and Tenure of the Faculty Senate to recommend that a formal proceeding be conducted, in accordance with Section II.F.7 below, with the burden of proof resting on the grievant. If this deadline falls on a weekend or holiday the next workday shall be considered the deadline. The appeals process may continue even if the proceedings extend beyond the termination date of the individual's contract.

- 3 Insofar as the petition for review alleges denial of due process, the functions of the Faculty Senate Promotion and Tenure committee shall be as follows:
 - a. To determine whether a denial of due process in fact occurred.
 - b. In the event it finds a denial of due process, to suggest a course of action that will equitably resolve the situation.
 - c. To provide copies of these findings and recommendations to the Chairperson of the Faculty Senate, the faculty member, the department concerned, the academic dean, and the Provost.
 - d. If necessary to decide whether the evidence warrants a recommendation that a formal proceeding be conducted (see Section II.F.7).

- 4 Insofar as the petition for review alleges inadequate consideration, the functions of the committee shall be the following:
 - a. To determine whether the decision of the appropriate party was a result of adequate consideration in terms of relevant standards of the institution,

with the understanding that the review committee is not to substitute its judgment on the merits for that of the faculty body on the question of whether the faculty member meets these standards.

- b. To request consideration by the appropriate party when the committee believes that adequate consideration was not given to the faculty member's qualifications. (In such instances, the committee should indicate the respects in which it believes the consideration may have been inadequate.)
 - c. To provide copies of its findings and recommendations to the Chairperson of the Faculty Senate, the faculty member, the department involved, the academic dean, and the Provost.
 - d. If necessary to decide whether the evidence warrants a recommendation that a formal proceeding be conducted (see Section II.F.7).
- 5 Insofar as the petition for review alleges denial of academic freedom, the functions of the committee shall be the following:
- a. To determine whether the notice of nonreappointment constitutes on its face a violation of academic freedom.
 - b. To seek to settle the matter by informal methods.
 - c. To provide copies of its findings and recommendations to the Chairperson of the Faculty Senate, the faculty member, the department involved, the academic dean, and the Provost.
 - d. If necessary to decide whether the evidence warrants a recommendation that a formal proceeding be conducted (see Section II.F.7).
- 6 If the petition for review involves a regional campus faculty member, a copy of the findings and recommendations shall be sent to the Chairperson of the Faculty Senate, the faculty member, the regional campus academic group involved, the Athens campus department chairperson, the regional campus dean, the Vice President for Regional Higher Education, and the Provost.
- 7 If the Standing Committee on Promotion and Tenure of the Faculty Senate has found that a formal proceeding is warranted on the evidence presented to it, the committee will so inform the Chairperson of the Faculty Senate. In consultation with the Executive Committee of the Faculty Senate, the Chairperson shall appoint five tenured faculty members, at rank or above, none of whom shall be from the grievant's department, to constitute a hearing committee. He/she shall designate the chairperson of the formal proceeding committee.

In the discharge of its responsibilities, the formal proceeding committee shall proceed as follows:

- a. The committee shall determine the time and place of the hearing, which shall commence not later than thirty days from the date of the committee's appointment.
- b. No later than three days following the date of the committee's appointment, the chairperson shall notify the grievant of the time and place of the hearing, and inform him/her of the basic procedures governing the hearing, which shall be closed, unless the grievant requests an open hearing.
- c. At the hearing, the grievant shall bear the burden of proving, by a preponderance of the evidence presented, that the action taken (a) violated due process and/or (b) was based upon inadequate consideration and/or (c) infringed upon academic freedom. The order of events at the hearing, which shall be determined by the committee, shall reflect this requirement.
- d. During the proceedings, the grievant shall be permitted to have as advisor either a faculty member or an academic administrator of his/her choice. Likewise, the senior administrator responsible for the grievant's area or his/her designated representative shall be permitted to have as advisor either a faculty member or an academic administrator of his/her choice. The responsibility for presenting the grievant's case is restricted to the grievant and/or his/her advisor. The functions to be performed by each advisor shall be determined by the person whom he/she is advising. A representative of an appropriate educational organization may be invited to be present.
- e. The grievant shall have the aid of the committee in securing the attendance of persons who possess relevant information, and in having access to information related to the case.
- f. The grievant and/or his/her advisor and the University representative and/or his/her advisor shall have the right to confront and question all persons who make statements before the committee.
- g. The full proceedings shall be recorded by the University, which, upon request, shall make a copy or written transcript available to the grievant, the committee, or the President. Upon completion of the hearing, the committee shall, within 15 calendar days, submit a written report of its findings and recommendations to the President, with copies to the grievant and the University representative. Within 30 calendar days of receiving the report, the President shall then reach a final decision in the case, which decision shall be communicated in writing to the grievant, the University representative, and the committee. The President shall not make a public announcement of his/her decision unless requested to do so by the grievant.

RESOLUTION ON PROMOTION AND TENURE GUIDELINES

Promotion and Tenure Committee

May 11, 2009

Passed

Whereas

Cases heard by the Faculty Senate P & T Committee in Fall 2008 (and a few others we are aware of) suggest that the P & T process sometimes does not function as well as it could.

Whereas

The problems are issues of process including following procedures, applying appropriate criteria, or providing clear guidance to candidates. Department/School P & T guidelines are sometimes vague, incomplete, or inconsistent with College guidelines.

Whereas

It is desirable for Department/School P & T guidelines to clearly establish procedures for departmental committees and administrators, as well as for candidates. Transparent and efficient guidelines are strongly in the best interests of the university as a whole.

Be it resolved that

The following language should be added to the faculty handbook in Section II (“Contracts”), Subsection E (“Procedures for Tenure and Advancement ...”) as “Item 9”:

9. Departmental/School P & T Committees should insure that:

- a. A section of the Departmental/School P & T guidelines explicitly states that a negative decision at any level may be appealed on the basis of a perceived:
 - i. Violation of academic freedom
 - ii. Failure of consideration of relevant facts or circumstances
 - iii. Failure to follow designated procedures (“due process”), including use of procedures that are inconsistent with Department, School, College, or University P & T policies.

Departmental/School guidelines should state that appeal of a P & T decision is possible, and steps to initiate an appeal are laid out in Section II.F of the Faculty Handbook.

- b. Department/School P & T guidelines should be reviewed at least every five years. Such a review should be announced to all tenure track faculty at least one month ahead of time, should entail discussion among the entire tenure track faculty, and invite suggestions from all. All changes require a majority vote of Group1 faculty for approval. With regard to

criteria for tenure and promotion to the associate rank, faculty should be “grandfathered” in, and should have the choice of following either the revised guidelines or guidelines in place at the time of their last advancement. With regard to criteria for promotion to the professor rank, a grace period of three years after the revision should be offered to faculty before implementing changes in the department/school criteria.

c. All probationary faculty should be formally evaluated on their cumulative performance and progress toward tenure and promotion midway through their probationary period in addition to annual progress-towards-tenure reviews.

d. The relative weightings of teaching, research/creative activity, and service that will be applied in reaching the tenure decision should be explicitly communicated in writing to the candidate and evaluating committees at the time of the hire.

e. Criteria that will be used to assess the candidate within each general performance category (teaching, research/creative, or service) should be clearly described in the departmental/school P & T guidelines. Criteria may be qualitative or quantitative. If quantitative measures are used, normative values should be specified to the fullest extent possible, and the relationship between quality and quantity should be defined. No general category of performance (teaching, research/creative, or service) should be assessed by a single criterion. Annual progress-towards-tenure reviews should specifically address progress with respect to these criteria.

f. A successful candidate’s record is judged as a complete package, although levels of performance may vary between individual criteria.

g. If departments include obtaining grants or other funding in their criteria, funding levels will be judged adequate to the extent that they can support a productive, high-quality research or creative program of the candidate.

h. In the case of appointment with credit toward tenure (i.e. if a faculty member has held a similar appointment previous to their appointment at Ohio University), professional accomplishments from this previous appointment should be credited to the candidate.

i. Departments and candidates should negotiate *a priori* to determine the extent to which a candidate’s participation in interdisciplinary programs (e.g. Environmental Studies, African Studies, Development Studies, etc.) or other programs will be credited in the tenure process. The candidate and the P & T Committee will be informed of his/her negotiated commitment in writing. In the P & T decision, credit should be given for interdisciplinary scholarship, teaching and service, as negotiated. How much credit has been given should be clearly

indicated in annual evaluations and in the P & T committee's letter of recommendation for a candidate.

Be it further resolved that

The last paragraph of Appendix A, Point F be removed as it duplicates above language.

**RESOLUTION TO ELIMINATE THE CATALOG RULE
ON RETAKING PREREQUISITES**

**Educational Policy and Student Affairs Committee
May 11, 2009
Passed**

Whereas, the Undergraduate Catalog states, "As a rule, a course designed as a prerequisite may not be retaken to affect the GPA after completion of higher-level coursework in the same subject area" (See "Retaking a Course" under "Academic Policies and Procedures"); and

Whereas, prerequisites are in place for a variety of reasons, not all of which are based on pedagogical sequences; and

Whereas, the phrase "As a rule" can be perceived as ambiguous because it could be interpreted as an absolute rule, or as an unspecified principle that could be broken in specific (unnamed) circumstances; and

Whereas, the current policy is not enforced through web-registration, and as a consequence, is not applied consistently; and

Whereas, the university should promote rather than discourage students' lifelong (re)learning and efforts to improve their academic credentials; and

Whereas, if the catalog policy were eliminated schools and departments could still enforce this rule through the use of prerequisites (e.g., "not if DEPT101" or "No Credit if DEPT101"); and

Whereas, as a principle, Students' earned grades should not be arbitrarily removed from calculation of their Grade Point Average; therefore

Be it resolved that the statement preventing retaken prerequisites from counting toward students' GPA should be eliminated;

Be it further resolved that this catalog change will only be effective for students entering Ohio University Fall 2009 and after.

**A RESOLUTION TO DELETE FACULTY HANDBOOK LANGUAGE CONCERNING
THE GRADUATE STUDENT CONTRACT GRIEVANCE BOARD**

First Reading May 11, 2009

Whereas, the Faculty Handbook (Section II, Subsection Q) contains a section on the Graduate Student Contract Grievance Board, and

Whereas, graduate students are not faculty, and

Whereas, the Handbook language is inconsistent with policies adopted by the Graduate Council in previous years, and

Whereas, two official documents containing inconsistent policies governing the same process is problematic, and

Whereas, the Graduate Council should be the primary governing body overseeing issues related to graduate student contract grievances, therefore

Be it resolved by the Ohio University Faculty Senate that Section 2, Subsection Q and all therein be deleted from the Faculty Handbook. Subsequent sections should be re-lettered as appropriate.

Be it further resolved that the Graduate Council will establish, oversee, and enforce all policy related to graduate student contract grievances.

Handbook Language In Question

Q. Graduate Student Contract Grievance Board

1. The Graduate Student Contract Grievance Board is composed of four members as follows: two faculty members of the Graduate Council appointed by the Associate Provost for Graduate Studies, and two graduate students appointed by the President of the Graduate Student Senate. Each member of the Board will serve for a period of one year. In the event that a member of the Board is a representative of the college from which a grievance is being submitted for consideration by the Board, that member will be replaced by a representative from another college. Such changes in Board membership will be recommended by the chairperson of the Grievance Board to the Associate Provost for Graduate Studies and the President of the Graduate Student Senate. □
2. The Graduate Student Contract Grievance Board will consider only those cases which pertain to a graduate student's status as the holder of a Graduate Assistant contract (such as teaching assistant, graduate assistant, etc., hereinafter referred to as contract personnel). Before the Graduate Student Contract Grievance Board will consider a grievance brought by contract personnel, he/she must have presented his/her grievance in writing and have fully discussed the grievance with the chairperson of his/her departmental graduate committee or the chairperson of his/her department, and with the Associate Provost for Graduate Studies without receiving satisfaction from either within

a period of one month. Grievances of a purely academic nature should be referred to (a) the dean of the appropriate college (for grade appeals), or (b) the Office of Judiciaries (for academic misconduct). □

3. All meetings of the Grievance Board will be held in closed sessions with only members and parties in a grievance present. Individuals and/or departments who are parties in a grievance heard by the Board will be present at all meetings of the Board at which evidence bearing on the grievance is to be heard. During the proceedings of the Board, either party will be permitted to have an academic advisor and/or legal counsel of his/her choice. The burden of proof regarding any grievance rests on the individual or individuals bringing the grievance. □
4. Individuals and/or departments of the University who are parties in a grievance heard by the Board will be given not less than one week nor more than one month to prepare for the hearing. All parties will be notified in writing as to the time and place of the hearing. All matters upon which a decision may be based must be introduced into evidence at the proceedings before the board, and decisions should be based solely on such matters. □
5. A recorded and written summary will be made of all proceedings of the Board. The written summary of the proceedings and the recommendations of the Board will be submitted to the President of the University for final disposition. Information copies of the written summary and recommendations will also be sent to the contract personnel, the chairperson of his/her department, the Associate Provost for Graduate Studies, and the Provost. A copy of the recording will be available on request to any of the above-named parties. The requesting party will bear the cost of the copy. □
6. Interpretations of these procedures will be made jointly by the Graduate Council and the Graduate Student Senate. Alterations of the procedures may be proposed by the Graduate Council and the Graduate Student Senate acting jointly, through normal channels, for approval by the President.

**A RESOLUTION TO UPDATE FACULTY HANDBOOK LANGUAGE ON
COMPOSITION OF THE GRADUATE COUNCIL
First Reading May 11, 2009**

Whereas, the Faculty Handbook (Section VII, Subsection C) contains a section specifying composition of the Graduate Council, and

Whereas, the Graduate Council has suggested through a unanimously approved resolution dated April 1, 2009, that the composition of the Graduate Council be changed, and

Whereas, the recommended changes to the Graduate Council would still give faculty a majority vote, and

Whereas, the suggested changes to the graduate council would integrate stakeholders who have a vested interest and/or working knowledge of graduate education at Ohio University, therefore

Be it resolved by the Ohio University Faculty Senate that Section VII, Subsection C be amended

as follows:

Handbook Language In Question

[Note: deletions are indicated with ~~striketrough~~ and additions are indicated with *emphasized text*.]

C. Graduate Council

The Graduate Council reviews, coordinates, and serves as an advocate for graduate education at Ohio University. The Council has both advisory and policy-recommending responsibilities for graduate education. It initiates, reviews, and recommends University-wide policy and new directions for graduate education.

The Graduate Council recommends to the University Curriculum Council the initiation, implementation, and elimination of graduate programs and degrees at Ohio University. (See Section II.D.4.c for procedures for the elimination of graduate programs.) Other recommendations by the Council go through the Provost to the President for final approval.

Members of the Graduate Council are nominated by the Committee on Committees and appointed by the President. The Graduate Council shall have a voting majority of ~~faculty~~ members *with faculty status*.

Its membership shall consist of:

- a. fourteen ~~faculty~~ members *with faculty status* (with a minimum of five from doctoral programs and five from master's-degree-only programs);
- b. deans (or their representatives) of the Colleges of Arts and Sciences, Business Administration, Communication, Education, Engineering and Technology, Fine Arts, Health and Human Services, and Osteopathic Medicine; and the Director of the Center for International Studies;
- c. four graduate students, including the President of the Graduate Student Senate (with a minimum of one student from a doctoral program and one from a master's-only program);
~~and~~
- d. the ~~Associate Provost for Graduate Studies~~ *Dean (or a representative) of the Graduate College* as a nonvoting member; and
- e. *the Dean (or a representative) of the Library as a nonvoting member*.

RESOLUTION TO RESTRICT NUMBER OF DEPARTMENT CHAIRS AND SCHOOL DIRECTORS ON DEAN EVALUATION COMMITTEES
Professional Relations Committee of the Faculty Senate
For second reading and vote
May 11, 2009

Whereas Department Chairs and School Directors have faculty status and are encouraged to serve in many roles as faculty within the university (including faculty senate);
Whereas serving on a Dean's Evaluation Committee as a Department Chair or School Director can create a real or a perceived conflict of interest;

Be it resolved that the following (bold text) be added to Section VII. E. 9

In the case of academic deans [2], a committee of *tenured* faculty, half of whom will be appointed by the faculty senators [3] from the college or unit, and half of whom will be appointed by the Provost, will conduct the annual review. At least one of the members of the committee appointed by the faculty senators from the college or unit will serve on the evaluation committee for two years. **No more than one Department Chair or School Director will serve on a committee. No Department Chair or School Director will serve as chair of a committee. Before accepting an appointment to serve on a committee, a Chair, Director, or faculty who have personal or professional relationships with the Dean (e.g. conducts research with the Dean) must carefully consider whether a perceived or real conflict of interest exists to such an extent that it would be problematic.** Each evaluation committee shall have access to previous annual and comprehensive evaluations of the dean being evaluated. Group I faculty in each college or area will participate in the evaluation of their dean by means of a questionnaire that contains both standard questions and questions specifically relevant to the academic unit of the dean. This questionnaire must be entirely anonymous, with no demographic data collected and no tracking of individual responses to different questions (such as respondent 12 answered X to question 1 and Y to question 2). The questionnaire may include space for written comments; however, colleges are encouraged to keep the questionnaire concise. After consultation with the Provost, the committee will issue its final report. It shall be the responsibility of the Provost to discuss the results of the committee's evaluation with the dean.

RESOLUTION TO CENSURE for second reading and vote

Whereas the Ohio University *Faculty Handbook* is endorsed as official university policy by President Roderick McDavis and was defined for the Faculty Senate as a binding contract by University Counsel John Biancamano, and

Whereas the *Faculty Handbook* provides (section IIIA) that any changes to employee's costs for the health care benefit must be submitted to the Faculty Senate for approval, and

Whereas recent changes to the health care plan - projected to increase employee costs by at least \$2,200,000 - were enacted without approval of the Faculty Senate, and

Whereas, unlike a similar increase in employee health care costs instituted for the 2007-2008 FY without approval of the Faculty Senate due to an "oversight" by the central administration and the Senate, the current instance occurred with full knowledge of the *Handbook* provisions and awareness that those provisions were being violated, and

Whereas the president, executive vice president and provost, and the vice presidents have ignored the primary goal of improving the competitiveness of faculty salaries as stated in Vision Ohio, the University's recently approved strategic plan, and

Whereas a major academic reorganization has been planned *in complete secrecy* by the academic deans without any consultation whatsoever with the faculty as a whole, the college faculty affected by the reorganization, the Faculty Senate, or any of its several committees, all of whom clearly have a vested interest in the organization of the academic structure of the university, and

Whereas these actions undermine any pretense of shared governance at Ohio University, demean the faculty and their role in the academic enterprise, and belie any semblance of collegiality between the central administration and the faculty;

Be it resolved that the Ohio University Faculty Senate does hereby publicly censure President Roderick McDavis, Executive Vice President and Provost Kathy Krendl, and Vice President for Finance and Administration William Decatur.
