

Ohio University Faculty Senate
Monday, February 5, 2018
Margaret M. Walter Hall, Room 135, 7:10pm
Meeting Minutes

In attendance

Group I

- *College of Arts and Sciences*: J. Andrews, G. Buckley, S. Gradin, K. Hicks, J. McLaughlin, R. Muhammad, R. Palmer, H. Perkins, N. Reynolds, W. Roosenburg, N. Sandal, B. Schoen, C. Snyder, E. Stinaff,
- *College of Business*: K. Hartman, D. Ridpath
- *College of Fine Arts*: Brian Evans [sub. for C. Buchanan] K. Geist, H. Siebrits, D. Thomas
- *College of Health Sciences and Professions*: R. Brannan, A. Sergeev
- *Heritage College of Osteopathic Medicine*: B. Franz, S. Williams, J. Wolf
- *Patton College of Education*: G. Brooks, L. Harrison, S. Helfrich
- *Regional Campus – Chillicothe*: John O’Keefe [sub. for Allison White]
- *Regional Campus – Eastern*: P. McMurray-Schwarz
- *Regional Campus – Lancaster*: C. Thomas-Maddox
- *Regional Campus – Southern*: O. Carter
- *Regional Campus – Zanesville*: Amy White
- *Russ College of Engineering*: D. Arch, J. Cotton, D. Masel
- *Scripps College of Communication*: B. Debatin, S. Girton
- *Voinovich School of Leadership and Public Affairs*: D. Kauneckis

Group II and Clinical

- *Athens At Large*: D. Duvert, C. Schwirian
- *Clinical*: J. Balbo
- *College of Arts & Sciences*: H. Edwards
- *College of Business*: T. Barnett
- *College of Health Sciences and Professions*:
- *Patton College of Education*: C. Hartman
- *Regional Higher Education*: D. Nickles, T. Pritchard

Excused: M. Clevidence, Doug Clowe, Allison White

Absent: F-C. Jeng, A. Rosado Feger, T. Roycroft, J. Taylor, G. Weckman, J. White,

MEETING AGENDA

Ohio University Faculty Senate

Agenda for Monday, February 5, 2018

Room 235, Margaret M. Walter Hall, 7:10-9:00 p.m.

- I. M. Duane Nellis, President
- II. Elizabeth Sayrs, Interim Executive Vice President & Provost
- III. Roll Call and Approval of the December 11, 2017 Minutes
- IV. Chair's Report—Joe McLaughlin
 - Status of Resolutions
 - Updates and Announcements
 - **Upcoming Senate Meeting: March 5, 2018, 7:10pm, Walter Hall 235**
- V. Executive Committee—Joe McLaughlin
 - a. Sense-of-the-Senate Resolution in Support of H.B. 337—Sales Tax Exemption for Textbooks—Second Reading & Vote
- VI. Professional Relations Committee—Sarah Wyatt
- VII. Educational Policy & Student Affairs Committee—Katie Hartman
 - a. Resolution to Establish Graduate Faculty Rank—Second Reading & Vote
 - b. Resolution to Change Residency Requirements for Minors and Certificates—First Reading

(Note: The order of discussion began with (b) and not (a); see summary below for details)
- VIII. Finance & Facilities Committee—Susan Williams
- IX. Promotion & Tenure Committee—Sherrie Gradin
 - a. Resolution on Commercialization as a Possible Criteria for Promotion and Tenure-First Reading
 - b. Resolution on Promotion and Tenure Appeals—First Reading
- X. New Business
- XI. Adjournment

Faculty Senate Chair Joe McLaughlin called the meeting to order at 7:10PM.

I and II President M. Duane Nellis and Interim EVPP Elizabeth Sayrs (joint presentation)

President M. Duane Nellis and Interim EVPP Elizabeth Sayrs were in attendance and presented as a team. President Nellis announced the expansion of the Honors program. Secondly, he noted the finalization of the search committee for new VP of D&I with some faculty representation. The committee was seeking a search firm. Thirdly, the VP for Advancement search is underway and the search for a new Assistant VP Alumni search will be underway. Finally, EVPP search was moving forward with Elizabeth Sayrs and Sarah Williams as co-chairs. A search firm for this particular search has been secured.

Interim EVPP Sayrs added that airport interviews would be conducted in early March and later in March there will be campus interviews and open forums.

Working with VP for Research Joe Shields, regarding the interdisciplinary institutes. And, now a funding plan has been identified and shifted the reporting to Joe Shields' office from CAS.

The President stated that the budget planning process is moving forward. At recent Breakfast for Progress, university leadership identified outcomes that might be considered by Deans and others with strategy ideas. He added that the regional campuses are facing ERIP plans; currently, ERIP plans are not being considered here for Athens campus. Open budget forums will be held in the coming weeks: Monday, Feb. 26 (1-2:30 pm); Monday, Feb. 27 (10:30 a.m. – noon); Thursday, March 1 (3-4:30 pm).

EVPP Sayrs noted that she has met with Deans to identify the academic mission first in light of budget planning. She also reported that VP of Finance and Administration Deb Schaffer is meeting with the Finance & Facilities committee to identify growth in administration, budgetary concerns, etc.

The President made two final remarks: Interim policy on “Freedom of Expression” will expire on February 16. It could be extended by a Executive Staff Policy Committee. In addition, House Bill 160 in the Ohio House of Representatives changes Ohio’s anti-discrimination law to include sexual orientation, gender identity, and gender expression as protected classes.

<https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-HB-160>

EVPP Sayrs made her two final remarks: an initiative called “Inclusive Access” to facilitate bulk purchases of materials has garnered a savings of \$95,000.

Finally, she responded to inquiries as to she why did not sign the Faculty Senate resolution calling for the rescinding of the interim policy on “Freedom of Expression.” Sayrs responded that the three directives were too specific and restrictive of the committee charged with developing a new policy.

Questions, Discussion, and Comments:

Senator Amy White asked, why extend a controversial policy? Why not leave old policy in place?

The President responded that a policy was needed based on the university's legal advice.

Senator Debatin remarked that he was unhappy with the clandestine process of the Freedom of Expression committee. A discussion continued regarding the lack of transparency from the freedom of expression committee. Senator Debatin added that the policy on policies, which had been circumvented, had transparency and shared governance in mind when requiring broad perspective and input.

The President said he wanted to let the committee do their job.

Senator Wolf who is also a member of the committee said that the faculty members who were on the committee wanted open meetings but they did not hold a majority opinion. The meeting minutes posted on the committee website are thorough.

Senator Roosenberg asked about the reported decline in applications.

EVPP Says stated that free applications (Common App.) had inflated the number of applicants. Housing deposits are down. Last year is not a good comparison year.

The President remarked that the university is recruiting in areas such as Western Pennsylvania to attract more out-of-state student. International students are reportedly reluctant to apply to the U.S. universities under the current political climate.

III Roll Call and the Approval of Minutes (Muhammad)

Roll Call was taken by Secretary Robin Muhammad.

Chair McLaughlin called for the Approval of Minutes which took place at 7:46 pm.

Faculty Senate Chair McLaughlin noted a change to the minutes by Senator Clowe. No other changes were noted. A motion to approve the minutes was made by Senator Hicks and seconded by Senator Ridpath. The minutes passed unanimously by voice vote.

IV Chair's Report (McLaughlin)

Chair McLaughlin made several announcements and updates:

Status of Resolutions: 6 months policy is up on February; further extension should be very short.

Updates: President Nellis has been very consultative through the numerous searches currently being conducted. It will be very important for Faculty Senate to be very active and engaged in public forum this spring.

The \$2 million sign for athletic department was publicly announced. The Chair noted that capital projects should be shared with the campus community beforehand.

The Ohio Guarantee will be extended to Regional Campuses. The ERIP is also under way on regional campuses.

The expansion of the OHIO Honors Program is progressing. Cary Frith might be asked to come to a future Faculty Senate meeting to give details.

The Dean's Evaluation Committee will have Orientation Friday, Feb. 9.

Faculty Senate Elections will take place this spring. The Chair encouraged senators completing their three-year terms to renew. Vice-Chair David Thomas is finishing his second term; EPSA Committee Chair Katie Harman is doing the same.

Questions, Discussion, and Comments:

With regard to the athletic scoreboard, Senator Ridpath noted that this was not an uncommon timeline and process for acquiring scoreboards. Sponsorship could provide enough revenue to pay for the scoreboard. Senator Hicks asked who would receive the revenue. Chair McLaughlin said athletics would receive the revenue.

V Executive Committee Reports (McLaughlin)

Chair McLaughlin introduced the Sense-of-the-Senate Resolution in Support of H.B. 337 (Sales Tax Exemption for Textbooks). For purposes of the bill a textbook is defined as written media and would not include equipment such as lab goggles, for example. Furthermore, the tax exemption is handled easily in brick-and-mortar bookstores, although it would appear that Amazon, as an online supplier, is making the adjustment on a state-by-state basis. **See Appendix A.**

No questions.

The Sense-of-the-Senate Resolution passed unanimously by voice vote.

VI Professional Ethics Committee (Wyatt)

There was no formal report; only a brief announcement regarding issues covering allegations of misconduct will be discussed at the March 5 meeting of Faculty Senate.

No questions.

VII Educational Policy & Student Affairs Committee (Hartman)

Committee Chair Hartman brought forth for First Reading the Resolution to Change Residency Requirements for Minors and Certificates. **See Appendix B**

Questions, Discussion, and Comments:

Discussion followed covering the difference between university credit and transcript credit, the impact of transfer credit on GPA, and the handling of international transcript credit.

Secondly, Committee Chair Hartman brought for a Second Reading and Vote the Resolution to Establish Graduate Faculty Rank. **See Appendix C**

Questions, Discussion, and Comments:

Senator Debatin raised the problem of faculty who have only a master's degree being precluded from serving on doctorate committees. Committee Chair Hartman offered the possibility of those faculty obtaining affiliate status. Senator Debatin replied that it was already difficult to fill committee and that the proposed change would make it more difficult and discriminatory.

More discussion followed about how difficult this was to implement given the variety of practices across the university. There was also discussion about the fairness of distinguishing and dividing further the professoriate (i.e., professional vs. academic faculty).

Vice-Chair David Thomas handed the parliamentary role over to Committee Chair Sarah Williams to make some remarks. Thomas asked, why do we need another layer of division? He added that faculty workload will increase for having to set up these rules. Finally, there is a history at the university of how this has not worked in the past.

Senator Geist mentioned that this is helpful to be able to advocate for faculty to serve on committees.

Senator Brannan suggested a friendly amendment to remove B.1 and B.2 and some of the language from 4b to make the proposal more acceptable. Committee Chair Hartman did not accept the friendly amendment.

Joe Shields, VP of Research added that some of the reasoning for these changes came from students asking for guidance in selecting committee members. He also noted that he was agnostic about the presence or absence of B.1 and B.2.

Senator Cotton asked if some units already make decisions about who can serve on committees, then how is this proposal creating a new problem?

Chair McLaughlin called for a voice vote, which was inconclusive. Chair McLaughlin then called for a show of hands. The results were: Aye – 18; Nay – 18; Abstentions – 9. The resolution was defeated.

VIII Finance & Facilities Committee (Williams)

Susan Williams reported that the committee has been meeting with Deb Shaffer to discuss broader level budget issues. The first meeting was productive and gave a broader perspective on budget issues facing the university. Secondly, the Benefits Advisory Council will use overages in its reserves accumulated due to department overpayments to offset the 5% increase in health insurance costs that must be assumed by departments for the next two years. Finally, the deadline for the dependent eligibility audit has been extended to February 13. As of Jan 31, 2018, we have 99.2% participation rate with 72 employees in “partial response” status and 23 employees in “no response” status. So far, 42 dependents have been removed from the plan. There are an additional 132 who have not been fully verified with 61 listed as “no documents received” and 71 as “partial documents received”.

No questions.

IX Promotion & Tenure Committee (Gradin)

Committee Chair Sherrie Gradin started by saying that the P&T Committee will bring back Sense of the Senate Resolution on the Erosion of Tenure for consideration at the March 5 Faculty Senate meeting.

Next, the Committee Chair presented for a first reading the Resolution on Commercialization as a Possible Criteria for Promotion and Tenure. Committee Chair Gradin reviewed the change in the language to the Faculty Handbook to allow for the inclusion of commercialization in teaching, research or service. The Board of Trustees will have to approve this change before end of the academic year. See Appendix D

Questions, Discussion, and Comments:

Senator Balbo asked if P&T committees will have to insert this, update their policy? Will the promotion but not tenure category have this applied to them?

Committee Chair Gradin said, yes to both questions.

Finally, the Committee Chair presented for a first reading the Resolution on Promotion and Tenure Appeals. See Appendix E

Questions, Discussion, and Comments:

There was extensive discussion on why Group II were given an advisory, non-voting role on an appeals committee. Senator Roosenberg said that tenure could protect Group I but not Group II committee members. Senator Brannan stated that this measure seemed divisive; faculty who have been promoted should have the right to vote.

Senator Duvert pointed out that voting rights should be inclusive of Group II. The intent of Group II voting rights is in the Faculty Handbook (See II, C., 3, b)

X New Business

No new business

XI Adjournment

The chair called for a motion to adjourn. Senator Balbo moved for adjourned; Senator Schwirian seconded the motion .The motion was carried unanimously. The meeting adjourned at 9:17 pm.

Appendix A

Sense-of-the-Senate Resolution in Support of Ohio H.B. 337—Sales Tax Exemption for Textbooks

Executive Committee

Faculty Senate

February 5, 2018

Second Reading & Vote

Whereas the Ohio University Faculty Senate is committed to initiatives intended to make higher education affordable, so long as they do not impact academic quality; and

Whereas faculty representatives have been working with the University's Textbook Affordability Committee to reduce the costs of textbooks and instructional materials; and

Whereas the Ohio State legislature and the governor have indicated that reducing student textbook costs is a priority; and

Whereas twenty-seven states, including our neighboring states Pennsylvania, West Virginia, and Kentucky, currently exempt university students from paying sales tax on textbooks;

Be it resolved that the Ohio University Faculty Senate strongly endorses H.B. 337 that would provide a sales tax exemption for textbooks purchased by post-secondary students.

Appendix B

Resolution to Change Residency Requirements for Minors and Certificates

Educational Policy and Student Affairs (EPSA) Committee

Faculty Senate

February 5, 2018 – First Reading

Whereas Ohio University defines residence credit as any credit earned by regular enrollment at Ohio University on the Athens campus or any regional campus or by Ohio University education abroad, any approved student teaching, online or distance education courses offered through eCampus, or any combination of these options;

Whereas Ohio University requires students to earn a minimum of 30 credit hours in residence with resident credit as defined above to earn a Bachelor's Degree and a minimum of 18 credit hours in residence with resident credit as defined above to earn an Associate Degree;

Whereas Ohio University requires students to earn a minimum of 50 percent of coursework taken to fulfill major concentration in residence with resident credit as defined above to earn a Bachelor's Degree; and

Whereas Ohio University offers academic minors and academic certificates to students pursuing a baccalaureate program;

Whereas Ohio University does not stipulate minimum residence credit for to earn certificates or minors.

BE IT RESOLVED Ohio University requires students to earn a minimum of 50 percent of coursework taken to fulfill certificate or minor requirements in residence with resident credit as defined above to earn a Bachelor's Degree.

BET IT FURTHER RESOLVED that the language in the OHIO University Undergraduate Catalog for 2018-19 be amended to

Graduation Requirements – Universitywide

Residency Requirements for Graduation

Like most universities, Ohio University requires that you be “in residence” for a certain number of credit hours in order to graduate. Some colleges have additional residency requirements, so check with your advisor or college student service's office to make certain all requirements are being met.

Residence credit is defined as any credit earned by regular enrollment at Ohio University on the Athens campus or any regional campus or by Ohio University education abroad, any approved student teaching, online or distance education courses offered through eCampus, or any combination of these options.

Bachelor's Degree

You must earn a minimum of 30 semester credit hours while enrolled at Ohio University; and you must earn a minimum of 50 percent of coursework taken to fulfill **each of** your major concentration, **minor, or certificate requirements** in residence with resident credit as defined above. A college may require more than 50 percent of Ohio University credit to fulfill a major concentration, **minor, or certificate** or have other additional residence requirements for a given program.

If you begin graduate study at Ohio University before completing all requirements for a bachelor's degree, your residency requirement will be reduced by as many hours as credit hours of graduate work completed. The number of hours subtracted also will be credited toward the residency requirement for a master's degree, if the credit is acceptable in the program approved for graduate work toward a degree. Residence credits used for meeting requirements for one or more bachelor's degrees may not also be used for meeting the residency requirements for the graduate degree.

The residency requirements apply even if you have been approved for graduation *in absentia* and are completing your last year in an accredited institution, except that the regulations apply to residence before you leave the University. (See the *In Absentia* section below.)

Associate's Degree

You must earn a minimum of 18 semester credit hours while enrolled at Ohio University; and you must earn a minimum of 50 percent of coursework taken to fulfill your major concentration in residence with resident credit as defined above. A college may require more than 50 percent of Ohio University credit to fulfill a major concentration or have other additional residence requirements for a given program.

In Absentia

To be considered for in absentia status, you must obtain permission from the student services office of your college. If you have been approved for the senior-in absentia privilege, you must complete a full year's work in an Ohio University-approved professional school and be eligible for advancement without condition to the second year to obtain your bachelor's degree in absentia. In absentia programs involve preplanned curricula and cannot be arranged on an ad hoc basis. The in absentia privilege does not apply to graduate degree programs.

Appendix C

Resolution to Establish Graduate Faculty Rank

Educational Policy and Student Affairs (EPSA) Committee

Faculty Senate

February 5, 2018 – Second Reading

Whereas the Ohio Chancellor of Higher Education, through the Chancellor’s Council on Graduate Studies (CCGS), requires an accounting of the adequacy of faculty resources before approving new academic programs, specialized areas of concentration, and certificates;

Whereas the Higher Learning Commission distinguishes between instructors teaching in undergraduate and graduate programs for faculty qualification purposes; and

Whereas the Graduate College was re-established in 2008 and seeks to employ best practices in its graduate academic programs commensurate with other universities in the State of Ohio, nationally, and internationally.

Be it resolved that Ohio University will establish Graduate Faculty Rank to qualified faculty at Ohio University and to qualified individuals with content expertise who do not hold faculty status at Ohio University;

Be it further resolved that Ohio University will add Graduate Faculty Rank as a new subsection in Faculty Handbook, Section II.C;

4. Graduate Faculty Rank

- a. Graduate Faculty Rank is a role that a faculty member may hold in graduate education. It is a designation separate from faculty status as defined in the Faculty Handbook.
- b. Colleges, departments, schools, or programs determine appropriate criteria necessary to classify individuals who have faculty rank at Ohio University as having Graduate Faculty Rank at each of the following levels:
 - i. Masters Graduate Faculty: Persons designated as Masters Graduate Faculty have faculty rank at Ohio University and are granted this classification based on college, department, school, or program criteria consistent with academic unit guidelines. Masters Graduate Faculty may serve faculty roles in master-level programs according to program specifications.
 - ii. Doctorate Graduate Faculty: Persons designated as Doctorate Graduate Faculty have faculty rank at Ohio University and are granted this classification based on college, department, school, or program criteria consistent with academic unit

guidelines. Doctorate Graduate Faculty may serve faculty roles in both masters-level and doctoral-level programs according to program specifications.

- c. Criteria for the determination of graduate faculty designations will be reviewed at a stated period by colleges, departments, schools, or programs. Persons designated as having Masters or Doctorate Graduate Faculty Rank will be reviewed according to classification guidelines established by colleges, departments, schools, or programs.
- d. Colleges, departments, schools, or programs may also appoint persons to serve as Affiliate Graduate Faculty. Affiliate Graduate faculty are persons without faculty rank at Ohio University or Ohio University faculty without a graduate faculty designation. As examples, a college, department, school, or program may designate Affiliate Graduate Faculty rank to (a) faculty who hold faculty rank or status at another University or (b) subject matter experts with appropriate qualifications who are outside the program. Colleges, departments, schools, or program should determine appropriate criteria necessary to appoint persons as Affiliate Graduate faculty. Colleges, departments, schools, or program should determine the roles and responsibilities appropriate for Affiliate Graduate faculty in their graduate programs.
- e. Any person holding Graduate Faculty Rank who wishes to appeal her/his rank, or any perceived adverse decision regarding it, will follow the grievance procedure processes in the Faculty Handbook Section.

Be it further resolved that colleges, departments, schools, or programs will establish criteria for Graduate Faculty Rank consistent with the broad definitions. Criteria for the determination of graduate faculty designations will be publicly available and reviewed at a stated period by colleges, departments, schools, or programs.

Appendix D

Resolution on

Commercialization as a Possible Criteria for Promotion and Tenure

Promotion and Tenure Committee of the Faculty Senate

First Reading

February 5th, 2017

Whereas the Ohio Revised Code 3345.45-C1/2 now requires a pathway for commercialization as a criteria that can be considered in promotion and tenure;

Whereas, the Legislature has determined that beginning on July 1, 2018, as a condition for a state university to receive any state funds for research that are allocated to the department of higher education under the appropriation lines items referred to as either “research incentive third frontier fund” or “research incentive third frontier-tax,” the chancellor shall require the university to include multiple pathways for faculty tenure, one of which may be a commercialization pathway, in its Board-approved policy.

Be it resolved that section II.C.6.a of the Faculty Handbook be revised:

Original: **6. Faculty Tenure**

- a. Tenure is awarded to those individuals whose records indicate that they are likely to continue to make significant positive contributions to the academic life of the University throughout their professional careers. Eligibility for tenure shall be determined by the department concerned and is reserved for those who are engaged in academic activities, including teaching, research, and service.

Revision in bold: **6. Faculty Tenure**

- a. Tenure is awarded to those individuals whose records indicate that they are likely to continue to make significant positive contributions to the academic life of the University throughout their professional careers. Eligibility for tenure shall be determined by the department concerned and is reserved for those who are engaged in academic activities, **including research, and/or scholarly activity, and/or creative activity (of which any may include activities leading to commercialization),** teaching, and service.

Appendix E

Resolution on Promotion and Tenure Appeals

Promotion and Tenure Committee of the Faculty Senate

First Reading

February 5th, 2017

Whereas, promotion and tenure are critical to academic freedom and shared governance, and the academic health of the University, thus requiring ongoing stewardship and due diligence;

Whereas conflicts regarding promotion and tenure are the right and responsibility of tenured Associate and/or Full faculty to attempt to resolve;

Whereas, recommendations regarding resolutions of conflicts regarding promotion and tenure must always be made independently from institutional, outside, or peer pressure;

Whereas Group II faculty are now eligible for promotion and should be consulted on appeals brought forth by Group II faculty members;

Be it resolved that the following sentence language (in bold) be added to the beginning of Section **II.F. 3** Grievance Procedures for Non-reappointment and for Denial of Promotion and/or Tenure

II. F. 3. All appeals adjudicated by the Faculty Senate Promotion and Tenure Committee will be heard and voted on by tenured faculty who are at rank equal to or higher than the appellant. In the instance of a Group II appeal, two Group II members of the Faculty Senate will act as non-voting advisors to the Promotion and Tenure Committee. 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:

[procedure follows here **with no changes**]