

**THE UNIVERSITY OF TOLEDO**  
**Minutes of the Faculty Senate Meeting of September 25, 2018**  
**FACULTY SENATE**

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

Approved @ FS on 10/09/2018

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**Summary of Discussion**

Jennifer Pizio, Director of Office of Diversity and Inclusion

Faculty Senate Constitution Committee: Chair Mark Templin, First Reading of Constitution Revisions

Paulette Kilmer, 21<sup>st</sup> annual Banned Books week

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

**President: Dr. Linda Rouillard** called the meeting to order; Executive Secretary, Mark Templin called the roll.

**I. Roll Call: 2018--2019 Senators:**

**Present:** Andreana, Bailey, Bigioni, Bouillon, Brakel, Chattopadhyay, Compora, Dinnebeil, Edgington, Ferris, Frank, Gibbons, Gibbs, Gilchrist, Giovannucci, Gray, Hall, Heberle, Hefzy, Jaime, Keith, Kistner, Kovach, Krantz, Lee, Longsdorf, Lundquist, Menezes, Molitor, Monsos, Niamat, Nigem (proxy for S. Ariss), Ohlinger, Ortiz, Reeves, Rouillard, Said, Schlageter, Sheldon, Steven, Taylor, Templin, Thompson-Casado, Tucker-Gail, Weck-Schwarz, Wedding, Weldy, Woolford.

**Excused absence:** Duggan, Emonds, Kippenhan, Lecka-Czernik, Maloney, Modyanov, Relue, Tiwari Van Hoy, Xie

**Unexcused:** Hammersley, Murphy, Oberlander, Park, Schroeder

**III. President Rouillard:** Good afternoon. I would like to call this meeting to order and ask Executive Secretary, Mark Templin to call the roll.

As you can see, there is one change to the agenda. Dr. Hsu asked to give a brief update to Senate and so I am assuming he will be on his way, but if not, we will go to our next guest.

**Executive Committee Report:** On behalf of Faculty Senate, I gave a brief report to the Board of Trustees on September 17. That report will be attached to the Minutes for this Faculty Senate meeting.

President-Elect Tim Brakel has recently researched a recent issue that has come up about mandatory sports club insurance for students in conversation to Mr. Michael O'Brien, Provost Hsu, and Mr. Matt Schroeder. I will ask him to summarize that information at the end of this report.

During a recent meeting Tim and I had with the provost, Provost Hsu indicated that 19 UT policies have expired. Many of these policies only require a change to three items in the policy: the responsible party, the date, and the mention of a chancellor. At our next Faculty Senate Executive Committee meeting on September 28, we will look at these policies to see which can be expedited, and which policies should be sent to FS Academic Regulations for review.

We offer our congratulations today to Dr. Tiwari and his colleagues in the College of Pharmacy and Pharmaceutical Sciences who have just received over \$449 thousand dollars to continue their research on treatments for triple negative breast cancer. It was reported to the Blade today and we are certainly very proud of what that says about the work on our campus.

And we offer our congratulations to Dr. Vijay Goel who is a recipient of the Ohio Faculty Council Award for Technology Commercialization. Senator Wade Lee will give you more details on this in his report later during this meeting.

We also want to congratulate Mr. Michael O'Brien and our athletics programs. At the Saturday, September 22 game, UT athletes were recognized with the MAC Institutional Academic Award and the MAC Women's FAR Award.

These awards are recognition of the good work that happens on the UT campus. We also want to recognize all the other good work that happens at UT on a daily basis: while all our efforts are not necessarily called out at the regional or national level, I think we are all fortunate to work with faculty, staff, and students who collectively make a positive difference in the world around us

So with that said, I will like to ask President-Elect Tim Brakel to give us an update on this student's sports and insurance question.

**Senator Brakel:** This is for sports clubs that are run through the Recreation Center. At first I got the word of this during a student activity sphere about three weeks ago. What came down mid-to-late summer were two notices to these clubs. The first one is that they had to carry a \$1M liability insurance for practices and other events that they were to host, and apparently that was a new thing to these clubs. Supposedly the running club, the premium for them was like \$800. The fencing club, which my son happens to be involved with, the premium was \$625. This is quite a hefty chunk of change considering that many of these clubs are buying their own equipment and doing various...for various contests, and that type of stuff. After talking with Michael O'Brien, the provost, and then a little bit with Dr. Flapp Cockrell, there are a couple of different actions that we are pursuing at this time for the clubs. On the short term basis, those clubs that need some assistance financially should contact Student Affairs, specifically the Student Allocation Committee and request some special funding to help them cover the liability insurance cost that may have occurred. I think it is very important to try to get as many clubs to do this as possible so we can get a good handle on what clubs are paying for the different premiums, even though funds may be limited. Also at the same time, Demond Pryor, the Director of Recreational Services is looking into a more umbrella policy that all the clubs can fall under. We will see how that might progress, but that is looking more long-term instead of short-term. So, it is kind of a two problem solution that we are looking at

**President Rouillard:** Are there any questions?

**Senator Molitor:** I just have a comment. A draft policy came out at the end of spring, not just for clubs, but for all student activities. They were requiring students to report if they were going to have some kind of an outreach event or a fundraiser on campus and they were going to have to get insurance. We had an event and I think it was a 5k race on campus to raise money for a scholarship fund. There was a \$600 premium just to get insurance for this event. I had sent our comments back to Dr. Flapp Cockrell in Student Affairs on this draft policy. I suggested, that the institution purchase an umbrella policy to cover all of our student groups for these types of activities, but I never heard back on where this stood.

**Senator Brakel:** What I understood when talking to Dr. Cockrell was that they are looking at investigating changing the policy, but this is where we are at at the moment.

**Senator Molitor:** Okay.

**Senator Heberle:** Will this be monthly or annually?

**Senator Brakel:** Annually.

**Senator Ohlinger:** I have a similar question. I thought just the university overall will have a policy that will cover these types of things. If not, it is a special event or something else outside the policy, but we will certainly cover liability. It is just like in the past, students will sign a waiver liability and they have their own medical insurance, in fact, we require them to have that. What is this covering?

**Senator Molitor:** It is for liability.

**Senator Brakel:** It's protecting the university as I understand it.

**Senator Hall:** From or for what?

**Senator Molitor:** Well, at an outreach event, you may not just have students from the university, you may have members from the community participating. We have a number of events in Engineering like that.

**Senator Ohlinger:** I can see that if there's something in the community involving people outside the university, but for clubs, I don't know. I am lost.

**Senator Hall:** I still don't completely see the possible explanation from the university. I don't see how that is outside of the policy to begin with. There are people walking on campus, it is an open campus. People on the outside walk on campus all the time and it has to be some coverage for that. Why is it that they are picking out these special events and these things? It seems to me that it is just a money generating thing for the university. They are trying to push-off costs onto these other organizations and in some cases, I don't think it is warranted because it is just going to be to the detriment of the students because they are going to be unhappy for these big costs that are being pushed upon them.

**President Rouillard:** I have my own question about that too because I thought we had sovereign immunity as a public institution so I don't quite get that.

**Senator Krantz:** Was there any particular event or series of events that precipitated this or is this just required?

**Senator Brakel:** I don't know the answer to that.

**Senator Molitor:** We saw the draft policy change come in April and that is when we had our correspondence with Student Affairs about this because we had an upcoming event. We were very much concerned because our students were going to have to get insurance for this event.

**Senator Krantz:** Was that initiated by University Council?

**Senator Molitor:** I don't know where the draft policy came from, but I believe it was approved in the spring.

**Senator Brakel:** We are still trying to make the changes as we go forward.

**President Rouillard:** I will like to thank President-Elect Brakel for taking on this issue and doing all of his research on this particular issue. If there are no other questions regarding the Executive Committee report, we will move on to the provost report.

**Provost Hsu:** Thank you, Linda for allowing me this time.

**President Rouillard:** Anytime.

**Provost Hsu:** I have three very quick updates. One is, textbook affordability. The University of Toledo is committed to helping students reduce their textbook costs and we're still trying very hard working with both the bookstore as well as implementing a digital textbook program to help students reduce textbook costs. This is an area that we will need the faculty's help with identifying cost saving measures for our students. If you have colleagues who are teaching College Credit Plus (CCP) programs, we're going to send out the email message starting with those faculty. If you can pass this message along just in case instructors don't read the email messages that we send—normally, when they see “provost,” they want to hit delete first [laughter].

**Senator Heberle:** I read every single email twice [laughter].

**Provost Hsu:** Okay, good [laughter]. CCP students are high school students and their school district pays for the cost of their textbooks. The school districts have raised the concern that the cost of textbooks is a big ticket cost item for the school district. We raise the issue that we teach CCP courses for free, but they raise the issue that they have to pay a very big ticket item for the textbooks. What they are most concerned about is that we sometimes don't use the textbooks. We ask the students to buy certain textbooks and the school district pays for those textbooks and often the student will bring back the unopened textbooks to the school district – still wrapped in plastic, which they have already paid for and can't get their money back. We need your help in reaching out to all the faculty members who are teaching CCP students to make sure they don't require a textbook if they are not going to use it. The principals of these school districts raise these concerns with our legislators and then the legislators raise these concerns with the Ohio Department of Higher Education, and so forth. Last year we were asked to take care of \$300 worth of costs.

**President Rouillard:** Well, I wonder if the issue with some of the textbooks coming back still wrapped is that sometimes these bundles include an electronic textbook and a hardcopy textbook. I wonder if the students just figure out to use the code, and then don't even bother with the textbook. The other thing that some of the high schools might benefit from is the Cengage subscription model. If they have students that are using more than one textbook for more than one class from Cengage, they just pay for the subscription rather than buy the books outright.

**Provost Hsu:** Right. The Provost's Office is going to look into some of these options. I think that is a good suggestion if there's an electronic version. Thank you for that suggestion.

I want to give you a very quick update on competency based education (CBE). The last time I talked to this body about CBE was last February, it has been half-a-year. We are making good progress. I want to remind you that our strategic goal is to offer access to higher education to non-traditional students as well as the students we currently serve. Often, these are working professional adult learners who want to complete a degree and they might need more flexible scheduling. This semester we are piloting three courses and the reason we are limited to three courses is because we want to work out the administrative system. We have a flexible schedule, but we need to make sure the Registrar's Office can handle registration after the first day of class up until the middle part of the semester. Also, we need to make sure that Blackboard can handle everything that we want to do. I also want to note that we have a CBE Task Force that includes faculty from the colleges that are helping steer this pilot program. It is a pilot program, a small scale that we are testing with our employees. We have not marketed outside the university yet. We are offering three courses to our interested employees, initially, to work out the technical difficulties.

The last update is, I talked to the Faculty Senate Executive Committee about the possibility of reviewing our student evaluations. The Faculty Senate Executive Committee thought it was a good idea. With their help, we are now putting together a committee that will help us review what we are doing in terms of student course evaluations. Our understanding is that each department and each college has a different system—some use paper and some are online. There's no uniformity across campus in terms of data collection and so forth. We want this committee to take a look and help come up with recommendations moving forward, for example, does it make sense to have a software solution and every student will do it online rather than using paper and pencil? And will it make sense to have some questions that are university-wide with room for departments to come up with their own questions? Those are all the things that this committee will review. The committee will convene pretty soon and I think you have already provided us with four names and we will work with those nominations.

Finally, I have several announcements. We have organized several events and have some deadlines. We have nominations for DUP, Distinguished University Professor, and the deadline is October 15. If you have in mind somebody that you think should be nominated, we encourage all faculty members to participate and anyone can nominate. The second one is we're organizing a "Future of Higher Education Forum." I think everybody will agree that the world is changing around us very rapidly. The question then becomes, how does higher education respond to these rapid changes and how can UT lead the discussion on the future of higher education? We are organizing these forums as a platform so faculty members can bring ideas and we will leave enough time for faculty members to discuss and brainstorm. The first one is going to be this coming Friday from 8:00-10:00 a.m. and Dr. Amy Thompson is helping us. We already have three or four scheduled.

**Dr. Amy Thompson:** We do. We have it on the schedule through December and we're accepting applications through October 5th for other people who are interested at one of the forums.

**Provost Hsu cont'd:** So if you have ideas about a topic that we should discuss in terms of the future of higher education, please send those suggestions to me. That is all I have. Thank you.

**President Rouillard:** Next up is a report from Senator Wade Lee, our representative to the Ohio Faculty Council.

**Senator Lee:** I thought I should clarify what Ohio Faculty Council is since when I first came on Senate, I had no idea. I just knew we elected someone to go there. The Ohio Faculty Council has representatives from the faculty senates of all 14 four-year public universities in Ohio. It is a recognized representative body that we communicate with the state legislature and the Ohio Department of Higher Education. We basically give them the faculty perspective on policies and legislative proposals. We meet once per month at the Ohio Department of Higher Education conference room down in Columbus and/or we can go online as well. I am going to quickly summarize from four meetings that I've attended from May, June, August and September 2018.

First of all, there's not much on the legislative front with the elections coming up and the speaker resigning. It meant that a lot of proposals that were kind of floating around and weren't going anywhere. At the last meeting we did kind of look at what was in the platforms of the two candidates for governor in regards to higher education and kind of discussed them among ourselves such as what kind of language they are using and what we can expect to see coming out.

One of the things we looked at is the Ohio Guaranteed Transfer Pathways program. A steering committee is developing tracks for transferability of credit from 2 year to 4 year. These are built upon existing transfer articulation guidelines, but bundled at the program/degree level.

We had a couple of talks from David Cummins, Interim Vice Chancellor of Finance and Data Management at ODHE. He explained to us how Senate Bill 6 financial viability scores are obtained. If an institution's score is below 1.75 over 2 years it will be put on financial watch, if below .8 over 1 year it can be put into conservatorship. At a later meeting, explained the Ohio College Opportunity Grants and why the grant for students attending a public institution grant (\$1500) is lower than for private, non-profit (\$3000) schools. Essential, the non-profits argue that their costs are higher and they don't receive State Support of Instruction (SSI) money, but the counter-argument is that we should look at actual cost of attendance, not just the 'list price'.

We've contributed to white paper drafts on the use of waitlists, and how in-person finals for online or hybrid courses are scheduled. We are currently developing a white paper on faculty teaching development and access for all types of faculty. In other words, telling the legislature, no, universities actually do care about faculty teaching and that every institution does have some equivalent of the university teaching center or the center for teaching and learning, and we do assess the outcomes of those. One thing we are looking at is to see if fulltime, part-time, adjunct faculty has the same opportunities to participate in the program to those centers.

Finally, as President Rouillard mentioned, the Ohio Faculty Council gives out a technology commercialization award. It is to recognize exceptional research, discoveries, and the role they play in translating those discoveries into marketable products and services. They are basically saying, yes, faculty at state institutions do have an economic impact on the state. The discoveries that we make can actually be licensed and marketed. This year Dr. Vijay Goel, from our Bioengineering department, was selected as the recipient of the 2018 OFC Technology Commercialization Award. Details as to when and where that will be presented are still being worked out, but we did want to congratulate him in advance of the publicity. In the past that award has gone to Wright State, UC, and Cleveland State at various points, but this year was ours. Are there any questions I can answer? Thank you.

**President Rouillard:** Thank you, Senator Lee. Next, we have Jennifer Pizio, Associate Director from the Office of Diversity and Inclusion. I will let her introduce her colleague. Welcome.

**Jennifer Pizio, Director of the Office of Diversity and Inclusion:** Thank you. I am Jennifer Pizio, the Director of the Office of Diversity and Inclusion. The “associate” got dropped so that is kind of exciting.

**President Rouillard:** Oh, that is cool.

**Jennifer Pizio, Director of the Office of Diversity and Inclusion:** Thank you. This is my colleague, Malaika Bell, who is the Program Manager in our office as well. We just wanted to take some time and have a couple of minutes in front of you today to talk about some of the initiatives that we are doing this year that can hopefully help you in your work in the classroom. We are both staff members in the Office of Diversity and Inclusion, but we are long time adjuncts. I teach in the Sociology Department and Malaika teaches in African Studies and program as well. I am going to turn it over to Malaika to talk about our diversity training which is our first program.

**Malaika Bell, Program Manager of the Office of Diversity and Inclusion:** First, I hope that someone has laid eyes upon these posters. These are advertised diversity trainings that I put on. They are about 2 ½ to 3 hours long. Two are scheduled for this semester yet. The next one is on October 5<sup>th</sup>, and that is from 9 a.m. to 12 p.m. and the following one is scheduled for November 16<sup>th</sup>. If you have groups of individuals that you would like to schedule a training for, that is something we are able to do as well. We have a shorter version, but this one is the best and most in depth discussion of micro-egressions, biases, looking at our own identities, and discussing stereotype threats somewhat as well. Hopefully, you will encourage your colleagues to sign up for the diversity trainings, I will appreciate it.

**Jennifer Pizio, Director of the Office of Diversity and Inclusion:** Some of the other things we’re doing that we started this semester based on feedback from faculty are: we’ve started a navigating difficult conversations in the classrooms series as it has gotten increasingly difficult to talk about issues like race, class, and gender in the classrooms. We are doing a program once a month on the Main Campus and once a month on the Health Science Campus where faculty and staff members from our office get together to talk about tips, techniques, and strategies for dealing with some of these difficult issues in the classrooms. We are running those programs through our office this semester. Starting next semester we are going to partner with the Teaching and Learning Center and Faculty Development to partner up on those programs so we can make sure to reach our audience. Some other things that we’re doing is offering dialogues on diversity for faculty and staff. Those are kind of one-all programs that we put together on specific issues that are maybe hot button topics at the moment.

We offer funding for speakers series. On our website there is a place where you can go and click if you would like to request additional funds if you want to bring a speaker to campus. It is cool to bring these resources together, and often times we are able to contribute a chunk to make those things happen. This fall semester already, we are co-sponsoring with Women and Gender Studies, History, Theatre, COBI, and the Health Science Campus etc. We are partnering with a lot of programs on the campus to be able to bring speakers so if you have a speaker that you are trying to bring to campus that it is in some way related to diversity and inclusion, we can help with funding, marketing, resources and other things in that area.

All colleges have an inclusion officer. Hopefully, you knew that, but if not, now you do. All colleges have an inclusion officer, someone who is specifically supposed to represent diversity and inclusion. We gather those folks together once per month and meet regularly to talk about diversity and inclusion planning in the college and how that feeds back into our office's strategic plan and the strategic plan of the university. I'll be happy to share who that person is and work on getting additional resources if necessary. Colleges have diversity plans and many individual departments have diversity committees and diversity plans, and we can help work with those groups of people as well. We are able to do college and department specific trainings. Colleges and departments contact us all the time if they say they have a specific issue, whether it is a faculty/faculty issue or a student/student issue or a student/faculty issue that we can come in and try to target that one specific issue. So basically, we want you to know that we are here to be able to serve whatever needs you have related to inclusion in your areas. Please feel free to contact us and we would like to support you as much as possible. Thank you for your time. I will leave these handouts and posters here.

**President Rouillard:** Are there any questions? Malaika and Jennifer, thank you very much.

**Jennifer Pizio, Director of the Office of Diversity and Inclusion:** Thank you very much. We appreciate the time.

**President Rouillard:** So there's some flyers here for you if you are interested in more information.

[Applause]

**President Rouillard cont'd:** So that brings us to the first reading of the Constitution. What I would like to do is leave about one hour for that first reading. At 5:45 p.m., Paulette Kilmer will come in and talk about Banned books. In a sense, that sort of gives us a good time frame within which to look at the first pass of the Constitution revisions. Senator Mark Templin will lead this discussion.

**Senator Templin:** I am going to stand over here so I am not blinded by the light of the overhead. The way this works is there's going to be a reading today and then in two weeks we'll come back and read it again. My hope is that we'll actually have the reading this time and then if people are happy with it the next time, we can actually have a vote to suspend the second reading if people are happy with the structure. Now, what this is is basically think of each article as a separate motion. The Constitution and Bylaws Committee is actually making 11 articles so there are 11 motions.

**Senator Keith:** I just wanted to state, you didn't send the original Constitution. I know it is on the Faculty Senate website, but in the redline version. I understand why you did this, you took out a lot of articles that you have placed in the bylaws. I just wanted to remind the senators that it might be a good idea to look at the original Constitution to have a better understanding of how this new version differs from the original Constitution.

**President Rouillard:** Thank you, Senator Keith. We did send out the redline versions of the proposed bylaws and rules, but the Constitution will be voted on separately. You do make a good point though, if you want the full original, it will be on the Faculty Senate website.

**Senator Keith:** I think it is also a better source in order to understand how this version differs from the original Constitution.



**Senator Templin:** Yes, the Constitution we have now is on the website so go to <http://www.utoledo.edu/facsenate>. If you have a laptop, you can go to the University of Toledo's website then go to Faculty Senate and then you will find the Constitution and all the parliamentary documents in there. That is the current version that we have. I am going to start with Article I.

***Article I:** The Faculty Senate of ~~the~~ **The** University of Toledo is an elected body of the faculty, with responsibility to promote the mission, function and interests of ~~the~~ **The** University of Toledo and its faculty. As such, ~~the~~ **The** Faculty Senate acts as the representative voice of the faculty.*

**Senator Templin cont'd:** Is there any discussion on Article I.? Hearing none---

**Senator Gibbons:** Just a question for the record. Changes such as redlining, when you get rid of the lowercase "t" and changing it to capitalization, does those clearly represent no substantial changes and are nearly a representation of scholar?

**Senator Templin:** Right.

**Senator Hefzy:** Do we need to vote on changing the lowercase "t" to capital "T"?

**Senator Templin:** Well, according to Hoyle and Robert's Rules, yes. We are not voting on anything this evening, but subsequently, we can treat it like a consent agenda. So all of these articles that are not controversial, we can just vote on them all at once.

**Senator Hefzy:** That is what I suggest.

**Senator Templin:** Article II, Responsibilities and Jurisdictions.

***Article II:** The Faculty Senate may consider any subject pertaining to the interests of ~~the~~ **The** University and to act in the name of ~~the~~ **The** ~~University~~ ~~Faculty~~ in making recommendations to ~~the~~ **The** ~~University~~ ~~Administration~~ on these matters.*

*Without limiting the generality of the foregoing, the Faculty Senate shall have the following specific powers and responsibilities:*

- A. *To provide a collegial forum for communication and consultation between the ~~University~~ ~~Faculty~~ and the University Administration.*

**Senator Templin cont'd:** We took out "University" because when this was written, the university was the Main Campus and we just newly merged. I think this was premerger language.

- B. ***Article II cont'd:** To promote a positive working environment for academic, clinical, and professional excellence and growth for the faculty of all Colleges within the University.*
- C. *To protect faculty rights and privileges, equal opportunity, due process, and academic freedom, and to promote an exemplary standard of ethical conduct at the academic, professional and administrative levels.*
- D. *To review and respond to policy, procedural and programmatic changes, initiated or recommended by the ~~University~~ ~~Administration~~ that affect the ~~University~~ ~~Faculty~~ or the academic mission of the institution.*

- E. Subject to the supervision and control of the Board of Trustees of the University as delegated through the academic administration, to govern the academic affairs of the University, including: the academic rules, regulations, policies and standards regarding undergraduate students; the standards for granting of degrees, honors and awards; and the oversight of student development and progression.
- F. To participate in a meaningful manner in any University long range strategic planning or prioritization, including budgetary, policy, fiscal and facility planning.
- G. To facilitate ~~bi-annual~~ formative assessments of the provost, vice provost(s), and deans, *including interim administrative positions, at least once every two years* to ensure accountability and improve administrative performance.
- H. To have a meaningful role in university-wide academic appointments, including being an active participant in the search process.
- I. To form standing and ad hoc committees as may be appropriate for effective and efficient execution of its duties.
- J. To periodically review the structure of the ~~University Faculty~~, including non-Faculty Senate appointed and elected committees, and make appropriate recommendations to the ~~University Administration~~.
- K. To develop and adopt ~~bylaws and rules, procedures, and appendices~~ to this Constitution for the effective administration and operation of the Faculty Senate.

**Senator Templin cont'd:** I think that is it.

**Senator Molitor:** “G,” *interim administrative positions*,” that sounds kind of vague. I think what you are saying is you are going to conduct a two-year assessment of provost, vice provost(s), and dean(s), regardless of if they are permanent or interim, correct?

**Senator Templin:** Yes.

**Senator Molitor:** We need to revise the wording to clarify this because “*interim administrative positions*” could include a lot of positions.

**Senator Templin:** Yes, there are some people who interim positions---

**Senator Molitor:** If you just say, “to facilitate formative assessments of the provost, vice provosts and deans at least once every two years to ensure accountability and improve administrative performance,” you are not specifying whether they are permanent or interim.

**President Rouillard:** Well, in the past that’s been interpreted to exclude interim deans and that is why the language is there. But I wonder if we put something along the lines of, “provost, vice provost and deans, both permanent and interim?”

**Senator Molitor:** That would work.

**Senator Keith:** Well, weren’t we told last week that this has to go back to the committee so they can take a look at the sections that we would like to see changes to?

**Senator Templin:** Well, I will take it back to the committee and get the committee’s thought on it. We’ve got the recorder on so we are just hearing various versions of the language.

**Senator Hefzy:** I have two questions. Can you go back to the very first beginning? What was the rationale of changing the “*University Administration*” to just “*Administration*?”

**Senator Templin:** Because some people on the Health Science Campus are more of a hospital administration than a university.

**Senator Hefzy:** Are the faculty on the Health Science Campus university administration?

**Senator Templin:** Well, we are trying to move away from “university” because it could mean Main Campus only, and so we are trying to make it more inclusive in that way.

**Senator Hefzy:** It is not in my opinion. Both the Health Science Campus and the Main Campus are the university. For example, the department of..., the faculty do research----

**Senator Keith:** Can I interrupt just a minute?

**Senator Templin:** Yes.

**Senator Keith:** I remember when we had this discussion with the Faculty Senate Executive Committee, and a lot of the issue was we couldn’t come up with a definition of the university faculty. It seemed like it was easier to just refer to ourselves as faculty than have an official definition of what is “university faculty.”

**Senator Hefzy:** I am not talking about the first part, I understand the first part. I am talking about the second part, “*University Administration.*” To me, “*Administration*” is vague, but the “university administration” is what we need.

**President Rouillard:** We can take that back to the committee.

**Senator Templin:** Yes, we will take that back to the committee. My concern is if we keep that in there, there are hospital administration. Do we want Faculty Senate standing over the hospital or not—I think that is the question or one of the questions for sure.

**Senator Hefzy:** Okay. I have a few more questions. If you go back to the item that Senator Molitor talked about, which is “*every two years.*” I have a clarification question. When we say “*every two years,*” what do we mean? Do we mean after two years of service then an evaluation will be conducted in the third year or it will be during the second year of service?

**Senator Templin:** Well, there may be some need in bylaws. Remember, our Constitution doesn’t clarify everything, so what we are trying to go for there is we have some administrative positions that haven’t been assessed in any kind of regular cycles.

**Senator Hefzy:** I am not talking about that. I am talking about, what do you mean by “*every two years?*”

**Senator Templin:** Well, that could be a bylaws issue where we would figure that out in bylaws.

**Senator Heberle:** I think I agree with Senator Hefzy that it needs to be clarified in the Constitution because this could be really messy. I think it should be in the Constitution if you are in administrative positions, each position be evaluated at least once every two years or each person in each position be evaluated every two years. We have had interim, interim, and interim and they don’t last two years, so I think we need to clarify that in the Constitution.

**Senator Hefzy:** In fact, one-and-a-half-year is too short.

**Senator Templin:** Okay. I will take that back to the group.

**Senator Ohlinger:** I also want to mention is that I don't think it will mandate it, but I think we should have the option to at least be able to review or respond to policy changes if there was something that came down from administration that say, of the medical center or the clinical enterprise if it affects the learning of our students, they will have the medical center. That should at least allow us the option to review those.

**President Rouillard:** So you talking about section "D?"

**Senator Ohlinger:** Yes.

**Senator Giovannucci:** I agree with Senator Ohlinger. I think especially considering that there are going to be a number of educators who are actually also working at ProMedica and at the hospitals. The clinical administrative issues could impact how they are able to perform their duties as faculty and so I think it would be good to at least be able to have an iChart to be able to respond to those things and make suggestions. It is not like we are going to have control over those things, but it may have weight.

**Senator Bigioni:** I noticed that in "G," the president isn't listed among the administrative positions. It is a pretty good idea to include the president so there must be some reason why she is not on the list.

**Senator Templin:** The existing Constitution starts with the provost on what is existing. We talked about that as a Constitution and Bylaws Committee, and it could cause some problems, but I don't remember off hand what the rationale is. We actually had it in one version and we took it out. Senator Giovannucci, do you remember what the reason was?

**Senator Giovannucci:** I think the idea was that it is really the Board of Trustees that has that mandate. It doesn't preclude us from being able to do that, but to insert that language in here, it was felt that it would be "presumptuous" by trying to take on a specific responsibility of the Board of Trustees since this document has to go through the Board of Trustees. It might not be appropriate.

**Senator Brakel:** And that said, I do know the past president and the current president of Council did provide feedback to the Board of Trustees regarding Dr. Gaber's evaluation this year.

**Senator Bigioni:** Does these evaluations have any "teeth?"

**Senator Templin:** Do you mean evaluation of the dean or the provost? I mean, they are public documents and they are read by the faculty of the respected colleges. The university indicates the provost, the faculty, and the university as a whole. If you mean by "teeth," as it immediately leads to some sort of sanctions,—no, I don't believe so.

**Senator Bigioni:** So the lack of teeth, it seems like the president may want to get some feedback from her faculty regarding her performance. This is friendly feedback, so it seems like it would be a useful tool.

**Dr. Amy Thompson:** So can I address that as the former past president?

**Senator Templin:** Sure.

**Dr. Amy Thompson:** So Linda and I, as well as Mary Humphrys and I participated in those phone calls. They are rather lengthy. I mean, they are an hour at least. They have probably a set of questions, 15 questions that are very in-depth. They really take that information back and synthesize it to the board and provide the board their input. So in terms of teeth, it is a very lengthy process. In terms of what we provide is all a qualitative type of conversation about how does the faculty perceive the president or are

they effective in their leadership role. Feel free, Linda to jump in. It is a fairly intense conversation with at least one or two members of the Board of Trustees.

**Senator Tucker-Gail:** With all due respect, is that representative of the faculty as a whole or is that just representative of this particular group of individuals? If that is going to reach out past there, perhaps it should reach certain individuals across multi-colleges as well as the administrators that are reporting back to Faculty Senate. I mean, I know the idea of Faculty Senate is that they represent their groups, but I just think some people are going to be a lot more forthcoming in an assessment that is anonymous. The other point that I was going to make is that it doesn't allow for feedback for other administrative appointments for individuals that are in charge of service oriented activities for faculty, staff and students—I am thinking specifically IT as service providers—I don't see them included in that particular evaluation group.

**President Rouillard:** I don't think that has ever been in the purview of Faculty Senate. That would be in the purview of the supervisors of those particular individuals.

**Senator Brakel:** I was going to respond to the gentleman in the back. We got to keep in mind that these evaluations are only one piece of the puzzle and there are other parts of the evaluation that might be done where the provost is evaluating the dean because the provost is setting goals and objectives for that person, for example that they have to meet. There are other factors that are going in to these evaluations of these individuals.

**Senator Krantz:** Just to make it directly clear, the provost, vice provost(s), and dean(s) are officers of the university who make direct decisions without the academic processes. There are a number of other administrators even higher up such as the chief financial officer or the university council, and we are not in the position to evaluate their performance.

**Senator Tucker-Gail:** But everything that they do affect us.

**Senator Krantz:** But they are accountable to another entity or another administrator.

**Senator Templin:** Are there any other questions?

**Senator Monsos:** Do you want to get the grammar typos?

**Senator Templin:** Sure.

**Senator Monsos:** At the top of this section “B,” you have “*The*” capitalized, and I think the second two should not be. Also in “J,” you ended up with “*the aculty*,” it should be “the faculty.”

**Senator Ferris:** And to add to that, I think “*Administration*” is not a proper name and it should not be capitalized.

**Senator Templin:** All right.

**Senator Wedding:** I understand this business about not including the president. Actually, it is not a good thing for her or him because the faculty might provide good feedback, complimentary that may even help the president with respect to problems with the Board of Trustees. By not putting the president in there, their feedback will not be forthcoming. However, this document does not preclude somebody from putting together a campaign of no confidence. Negative feedback can still flow against this president or

any other president, but the possibility of good feedback supporting her is now not going to be there. It would be to her or his advantage to perhaps have it in there because it does hold the door open for good comments. Without that, you are only going to have bad comments which will come by someone starting a campaign of no confidence, which does happen on college campuses with respect to the presidents. It also happens with respect to other offices.

**Senator Templin:** Article III, Membership Eligibility.

*Article III. Only continuing, full-time members of the ~~University~~ faculty shall be eligible for membership in the Faculty Senate. Such persons shall not include faculty emeriti, faculty on superannuate status, or faculty with visiting, adjunct, or non-renewable term appointments. Any administrator holding the rank of assistant Dean and above or serving in any administrative capacity reporting directly to a member of the University central administration shall be ineligible for election to Faculty Senate.*

**Senator Hefzy:** I have an issue with the added text.

**Senator Templin:** Okay.

**Senator Hefzy:** I am no longer an administrator, but if an administrator is elected by her/his faculty colleagues, this speaks to her/his credentials. They should be able to represent the faculty, so I don't see the point of having this. I know this was done in the Graduate Council several years ago and I don't think it was a good decision because again, it prevented good faculty with good academic knowledge to contribute to the process. I don't see a reason for taxing these people who are doing service to the university. Personally, I will speak very strongly against it and I will vote no against it.

**Senator Molitor:** I want to second what Senator Hefzy is saying, as I am an administrator, but before I do that, I would like some clarification. You are saying, "...and above or serving in any administrative capacity reporting directly to a member of the University central administration," The central administration is President, Provost, Vice Provost, or Dean, is that the definition?

**Senator Templin:** Not the dean. We put in rank of assistant, so it is assistant dean, associate dean, and dean. What we're trying to do is preserve, like for example I will speak for my college. We have the director of adolescent young adult education, that director is simply an administrator role within one particular college and it is a part-time role at that, so that person is mainly faculty. But department chairs are not, they will be eligible as they have been always (as far as I can remember). So it is trying to clarify the idea when people become a vice provost, associate vice provost, and so on—we are trying to preserve a faculty voice essentially. That was the choice the committee made to put this language in. It was trying to strengthen it as a faculty organization as opposed to an administrative organization.

**Senator Hefzy:** For instance in the College of Nursing, is the associate dean qualified to be elected to Faculty Senate?

**Senator Templin:** If this language goes in, no.

**Senator Hefzy:** That is what I am saying.

**Senator Templin:** You said associate dean. An associate dean or an assistant dean would not be eligible.

**Senator Hefzy:** But an associate dean does not report to central administration.

**Senator Templin:** Right, but they are ranked at assistant dean or above.

**Senator Heberle:** “In addition to” is how you should read.

**Senator Molitor:** I want to clarify this. So you are saying in your college, your associate dean will not be eligible, but your department chairs would. Is that correct?

**Senator Templin:** I think department chairs are eligible right now.

**Senator Molitor:** Well, associate deans are eligible right now.

**Senator Templin:** Correct.

**Senator Molitor:** So, an associate dean now will no longer be eligible, but a department chair would?

**Senator Templin:** Yes.

**Senator Molitor:** Okay. Both the associate dean and a department chair have the same rank in my college. We both report directly to the dean. So in my college, are you saying both associate deans and department chairs would not be eligible?

**Senator Templin:** I think speaking for the committee from what I can remember of our discussion, the chair is in much more close communication with faculty. We are thinking the distinction is chairs have more of a faculty mindset whereas associate deans are more distant from faculty, that’s the way we were thinking.

**Senator Molitor:** This is where I agree with Senator Hefzy’s point. I think you need to leave the faculty in each individual college to determine who should be eligible or should not be eligible by determining who they want to vote for and who they don’t want to vote for. Some colleges may feel that their associate deans or chairs represent their faculty as well as anybody else and other colleges may not. I don’t think you should dictate to faculty in individual colleges who is appropriate or not appropriate to represent them.

I also take a bit of offense to the notion that I am not a faculty member just because I am an associate dean. I am still a faculty member. I still teach. I still do research. I still perform service. I do not do it to the extent that other faculty members do, but I still do it and I still consider myself a faculty member first and foremost.

Third, why do we want to exclude anybody? We have already seen what happens in deliberative bodies when you narrow down the pool to get people who are more and more alike. If anything, the Faculty Senate should be a very big tent; it should include a number of different points of view and a number of different experiences so that we make the best decisions.

**Senator Krantz:** Actually, just a point of clarification from Senator Molitor. Would you agree with excluding deans and above?

**Senator Molitor:** Actually, I do not. I think you should open up as wide as possible.

**Senator Krantz:** It has to be a cutoff somewhere.

**Senator Molitor:** Why? Why don't we just say it is a body of all fulltime faculty members?

**Senator Krantz:** Because then it could go back to, Senator Templin, you replied that within your committee you were working on the definition of the "*university central administration*," where did that discussion go?

**Senator Templin:** It didn't. That is why we came up with this language to try to avoid the difficulties of defining.

**Senator Krantz:** Well, it has to be a line drawn somewhere.

**Senator Keith:** Senator Krantz, are you done?

**Senator Krantz:** Go-ahead, please.

**Senator Keith:** Well, I agree with what Senator Molitor said. I just want to say this is brand new language. We have had a combined Faculty Senate since the merger where we have had associate deans serve as faculty senators. I am unaware that there has ever been an issue that has called to question as whether or not they are adequately serving the faculty in their college. In fact, many of them have been reelected.

Another issue is that Graduate Council does allow associate deans to be elected as members. Maybe many colleges don't do that because an associate dean can also serve as an ex-officio member, but colleges do have representation with associate deans. They can also choose to elect an associate dean to be a member of Graduate Council. Research Council has associate deans too. I am not sure why we are deciding to exclude associate deans from serving on Faculty Senate.

In terms of that last part of the sentence about the "*administrative capacity reporting directly to a member of the University central administration shall be ineligible for election to Faculty Senate*," I truly feel that was put there to exclude me from Faculty Senate because I am the only person I know that is reporting to central administration. I am the assistant to the EVP, CFO/faculty associate. I still spend time in my department teaching, working with students, performing service for my department, and doing research. I consider myself faculty, even though I am currently reporting to both a chair and a member of central administration.

**Senator Heberle:** I haven't been on Senate for a while, but I think another way of thinking about this is, we all wear different hats on campus all the time. What is Faculty Senate doing in the context of interests and issues? I was trying to think of an example like curriculum. When an associate dean or a dean comes as a member of Faculty Senate and speaking as a member of the faculty about curriculum, are they taking off their administrative hat and speaking as a faculty member? That seems to be one way of framing this question since we are asking Senator Molitor, Senator Keith, and others to come and say, I am now a faculty member thinking about what the curricular issues are. If we are thinking about power relationships and whether or not people coming in here as administrators are a problem because they will interfere with faculty oriented discussions, then that is another issue. I am just trying to frame it a little differently instead of the personal questions about who will be able to do what. Can we do that? Can people come in here and sit as faculty members when they are administrators dealing with the issues that Faculty Senate are representing?



**Senator Keith:** I think they have successfully done it for ten years ever since we voted in the new constitution and had the merged Faculty Senate.

**Senator Monsos:** If the purpose of this is to have only fulltime faculty, people who spend all of their time teaching, doing research, and service with no administrative adjustment, then I don't understand the cutoff line. If that is the desire then it should be chairs and up. There's an awkward thing in the middle as you pointed out, a title director which can mean any number of things and may have more or less administrative requirements. Chairs are not members of AAUP. They are out of the bargaining unit. They are not considered fulltime faculty for that classification and so this line drawing feels very arbitrary to me.

**Prof. Mary Humphrys:** I am not a senator, I am a guest. First of all, Mark I know for being on the Executive Committee the last couple of years, you put a lot of work into this. My concerns are without actually looking at it as whether I support whoever being on the committee, but how we will ever define this. To me, it is opening up a can of worms. For example, someone who answers directly to the university central administration—the dean of the College of Medicine is a vice president, so if we really stick by the rule here, faculty from the College of Medicine are actually answering to a central administrator. I think the problem is defining it. I also think there are other issues. To me a good argument could be made that an assistant dean is maybe at a different level than a director. I believe we have several directors currently on Faculty Senate, but directors often times are teachers and they do a lot of teaching and they are fulltime jobs. I just have concerns about how we will ever define this and determine it—not how we actually determine, but who gets to determine it. For example, who is answering to central administration or who is above the rank of assistant dean? It goes back to, I agree that faculty in colleges should have the ability to vote in whoever they want.

One other thing, the “*continuing*” word, I wonder if it is necessary because when faculty senators are elected in the spring... are lecturers?

**Senator Templin:** For example, in my college we have visiting faculty and visiting faculty are on this onetime terminal appointment of three years, so we are trying to clarify it as much as we can.

**Senator Hefzy:** I have a comment. I have a clarification. Then I have a question.

**Senator Templin:** Okay.

**Senator Hefzy:** My comment is that I agree with the senator Heberle that we cannot judge if a Senator who is also an administrator can sit on the Senate wearing a faculty hat. The clarification regarding the comment from the senator in the back about Graduate Council, that issue was raised a few years ago—Are the ex-officio(s) serving on the Graduate Council allowed to be elected to the Graduate Council Executive Committee? The Graduate Council said, no ex-officio can be elected to the Graduate Council Executive Committee, unless they are elected as a graduate council representative. Now you come to the college and ask the college a simple question, do you want to have one or two representatives—one ex-officio and one elected representative or only one elected representative? It is a no-brainer, the college will for sure say two representatives. So ex-officio(s) were prevented from being elected to the Graduate Council Executive Committee, and I don't understand why they are prevented from being able to serve in this capacity. Now the question is, how many deans have served on the Faculty Senate?

**Senator Templin:** Full deans?

**Senator Hefzy:** Yes.

**President Rouillard:** They are weren't eligible to be elected.

**Senator Hefzy:** If we don't include deans, we are not changing anything, right? What we are only changing is associate and assistant deans, right?

**Senator Templin:** Right.

**Senator Hefzy:** I apologize if I misunderstood your comment, but the way that I understood it was like people who are department chairs or whatever are more close to the faculty. Let me give you an example, an associate dean of academic affairs means he/she has been selected or elected to serve on the position for her or his close and trustworthy academic—he was faculty. Again, I just wanted to address your point.

**Senator Molitor:** To reiterate what Prof. Humphrys said, thank you for the thankless work of going through this with a fine tooth comb and coming up here and serving as our “punching bag.” To Senator Heberle's point, everyone comes with a different agenda and a different point of view. I think you have to leave it incumbent upon the faculty who are voting to determine whose point of view they want to have represent them. I don't think you should tell a particular group, “this is your perspective, but we don't want it on the Faculty Senate.”

**Senator Heberle:** Can I respond for just a moment for clarity sake?

**Senator Molitor:** Please.

**Senator Heberle:** This is the Faculty Senate, so if I was an administrator coming speaking as a dean, why would I come here to speak? Why wouldn't I be speaking as a faculty member? This is the Faculty Senate. It is not the Faculty Administrative Council, and that is what I was saying. I think people would come here and speak as faculty in the faculty interest, not as administrators.

**Senator Molitor:** Yes, and that is actually what I had to do as an associate dean.

**Senator Heberle:** Well, that was what I was asking, and that is why I wanted clarification. You are speaking as a faculty member when you are sitting in this room and you are not speaking as an administrator.

**Senator Molitor:** Exactly. And that is why I think our colleagues should judge that. In fact, my Main Campus colleagues re-elected me to serve on the Main Campus Executive Committee after I became an associate dean.

**Senator Heberle:** I see your point. So you take your associate dean hat off when come in this room, right?

**Senator Molitor:** Yes.

**Senator Heberle:** That is what I was asking.

**Senator Molitor:** And if I don't, my colleagues presumably are not going to re-elect me. I would just like to make one more comment. My recommendation is to strike everything in red in that second sentence. “The fulltime members of the University faculty should be eligible for membership and the Faculty Senate should not include faculty adjuncts, visiting, non-renewable appointments,” period.

**Senator Ferris:** I would like to thank the committee for their work, and bringing this to us, and helping to explain the thinking behind the changes. With that in mind, I would like to ask if there was a particular problem that these changes to membership eligibility seeks to address?

**Senator Templin:** I don't think there was one specific concern. The committee was just concerned about drift towards it not being a voice of the faculty. You have to remember, we've been working on this for over a year and so I think part of it we were thinking in terms of the university senate that had gotten started and so we were wrestling with that.

**Senator Weldy:** Unfortunately, administration and faculty don't always agree on things. It is difficult to serve two masters. This probably is framed better in terms of the concept, a conflict of interest. That would be very important to anticipate that and prevent that from happening rather than getting into it and then having a problem. Therefore, this concept is very appropriate in terms of maybe dividing and making sure the faculty interests are represented by faculty members who do not have a conflict of interest, and that would be how I would frame this.

**Senator Thompson-Casado:** So if we were to strike everything that is in red, would that mean the deans will be eligible? That would be a major departure from what we've done in the past.

**Senator Templin:** I would have to go back to the existing language. I think deans are ineligible in the existing language, but we put "holding the rank of assistant dean or above," so it kind of superseded the original language.

**Senator Thompson-Casado:** Right, but Senator Molitor had suggested striking everything in red and I just wanted to point that out.

**Senator Templin:** Yes, then we would have to re-insert deans etc.

**Senator Ohlinger:** I don't see that in the Constitution.

**Senator Templin:** You don't?

**Senator Weck-Schwarz:** It is at the end of the Appendix.

**Senator Molitor:** To address Senator Weldy's comments. Serving doesn't necessarily mean you can't have a conflict of interest, it means, conflict of interest should be declared. People know that I am an associate dean before they elected me and they know I answer and report directly to the dean. They have to make the decision whether or not they trust me to represent their interests. We have plenty of examples of research that receive funding from a particular agency or company with a vested interest in a particular outcome. But the results of this research are not dismissed outright; you just have to declare that a conflict of interest exists.

**President Rouillard:** Well, the conflict of interest will have to be evaluated at some point.

**Senator Molitor:** Absolutely.

**President Rouillard:** It is the same way with our Board of Trustees, they would have to declare a conflict of interest and the Board evaluates it for many potential problems.

**Senator Molitor:** It doesn't mean you can't serve. It just means you have to be evaluated and reviewed and it is up to the electorate to decide.

**Senator Wedding:** You was mostly a faculty member, you were only an associate dean in recent times. At one point I counted 12 associate deans in this body, which represents a tremendous percentage. If we just barely have a quorum, they do show up, they are here. I do think they are in a conflict of interest issue big time and I think it should be looked at. We've had as many as 12 and if we have a little less than a quorum, they would be 1/3<sup>rd</sup> of the vote on that day. I do think the conflict of interest for an associate dean is a reality.

**Senator Bigioni:** I agree with the earlier point about a chair or above since it is an administrative position. Administrative positions have their own channels and inputs from the rest of the regular faculty. While I sympathize with the desire of some of the administrators participating in this body, one will also have to acknowledge when he/she accepts that position, certain things must be given up.

**President Rouillard:** If I can interject myself? I was not a department chair when I was elected to be the Faculty Senate president. I became chair of my department on July 1<sup>st</sup>. I will have to agree, I don't believe I am in the same position that I was in before. I may think of myself as faculty, but by virtue of being chair, I just have a different position. I think I would vote for even eliminating chairs as eligible for election. I would say if this passes and you want to ask me to step down from the president's position, I will do the will of Senate. But I do think we have to think about whether or not we want a faculty senate or whether or not we want a university council. We've been through the University Council and we know what that was about—that was about diluting the faculty voice.

**Senator Krantz:** Since I didn't stay up at night reading Robert's Rules, I have a procedural question. When this is brought up, and clearly this item needs to be voted on by itself, is it one set of language and voted up or down? Or can we have two or three variations for options that we then vote on in context?

**Senator Templin:** So if we started off with a plurality vote, I think you would eliminate the least vote getting things and then you will have to wiggle it down to a choice of "a" or "b" because ultimately you want whatever goes in to have the majority of Senate support. You can start off with eight different versions of this and wiggle it down from there.

**Senator Krantz:** But at a minimum we just discussed three.

**Senator Gilchrist:** I just want to pull up the last point. My understanding was that this would come either from the committee or the Senate Executive Committee, but I am not sure which—Article III will stand as a motion as written that would get an up or down vote. If it was voted down then we will have to go back. We would just do multiple iterations until something gets accepted.

**Senator Hefzy:** Please educate me on the process. Does the Faculty Senate votes on whatever decision and then does it go to the faculty at large?

**Senator Templin:** Yes.

**Senator Hefzy:** So the faculty at large will vote on the Constitution as a whole or article-by-article?

**Senator Templin:** Faculty votes on the Constitution as a whole because it is Senate's Constitution. So once Senate has it the way it wants, then it goes to the faculty for ratification.

**Senator Hefzy:** I want to understand the process. So, if faculty for whatever reason does not like only Article III and everything else if fine, she or he has to vote no?

**Senator Templin:** If they feel strongly enough, yes.

**Senator Ohlinger:** I think we've heard a lot of different perspectives on this from a lot of different colleges and a lot of different departments. I appreciate it and I think that is important input. I think what that demonstrates is that everybody is different. I think back to Senator Molitor's point, we should leave it up to the people who are voting to pick whoever they think their best representative is. For example, Dianne Cappelletty is our department Chair and she was once elected as a representative because the college thought she was the best voice of the faculty and Senator Molitor has been re-elected because the College of Engineering thinks he is one of their best representative voice of the faculty. We reelected you as president because we think you are a great president as the voice of the faculty, and if we didn't think you were, we wouldn't have wanted you, or Senator Molitor or Dr. Cappelletty.

**President Rouillard:** Well, in my case the election took place before I became Chair, so in a sense, you didn't have that opportunity to make that choice. But speaking in this position now, I think we have to be very careful not to dilute the faculty voice. If there's a least perception that chairs do that, then we should establish that as the cutoff point.

**Senator Lee:** To the point of information in regards to whether deans were excluded in the current Constitution. There's a footnote that says there was a clarified vote in 2010. It clarified that Article III should be read as, "*Any administrator holding the rank of dean or above, shall be ineligible for election of faculty.*" So it was in there, but only by resolution at a later time.

**Senator Weck-Schwarz:** I want to make a couple of remarks. First of all with respect to the administrators, I think a lot of associate deans and chairs who have been on Faculty Senate actually contributed to the academic role of Faculty Senate because of their expertise. I think it is an important point that their expertise was really valuable here. The second remark I wanted to make was the language needs to be clarified for even a pedestrian kind of thing such as elections. I would not know how to even check whether anyone is reporting directly to central administration. It is very difficult.

**Senator Templin:** Yes, we thought about that as well.

**President Rouillard:** Allow me to interject myself one more time. What about the possibility of having associate deans as ex-officio, so that we can benefit from their expertise, but not voting? We are trying to protect this as the voice of faculty.

**Senator Bigioni:** I was essentially going to say the same thing. Administrators are always welcome to come here, it is just a question of the voting.

**President Rouillard:** That is right.

**Senator Hefzy:** I have to disagree on this one because again, it is a presumption of guilt instead of innocence. It is an assumption by doing so (having associate deans as ex-officio), that the person is making a bias decision.

**Senator Keith:** I just want to reiterate one more time, we've had associate deans serving as senators since at least 2010. If somebody can come up with an example of how they have voted against the interest of

faculty and how that changed a resolution or a curriculum decision or a program decision, I would appreciate it. I think you are looking for a problem that we have not come across yet.

**Senator Gilcrest:** I was on the committee and I did support this language. I just want to address the reason and I want to make it really clear that for me and I am pretty sure for everyone else on the committee, it is absolutely nothing personal in this. In fact to the contrary, the best argument to me that I've ever heard against this language is we will lose some of our greatest expertise if we put this language in, and I think that is correct. Some of the best help we have had on Senate will be excluded if this language goes through. I very much like the idea of keeping the ex-officio capacity of people with expertise to help us do it. I strongly believe there is legality of conflict of interest that needs to be addressed—not because I can think of an instance, I can't. It is just that as someone who works in law, I believe it is important to be clear in identifying a role, and everyone knows what role you are speaking in at that time in order to do what Linda is saying, which is not to dilute the voice of the faculty. At the end of the day, the university constitution is run by two contributing voices—the faculty and the administration. I thought it was a good idea because it maintains a pure voice of the faculty and the administration has much capacity to bring their voice to the table.

**Senator Hefzy:** I just want to agree with the senator in the back, we are making a problem out of nothing. As I recall, I don't recall any incident. I recall when I was an associate dean and Dr. Molitor was an associate dean, we voted to what appears to be, not what the administrative was seeking and so there is evidence to the contrary.

**President Rouillard:** So Paulette Kilmer is here. We have another five minutes.

**Senator Templin:** Let's just quickly go through Article IV and then I can bring V through XI back next time. Article IV. We thought it was important to preserve that constitutionally because the Executive Committee meets with the president and the provost. Its role is a little bit different so we thought it should be constitutional rather than a bylaw.

***Article IV:** The Executive Committee of the Faculty Senate shall consist of the Faculty Senate President, the President-Elect, the Past-President, the Executive Secretary, one member of the Senate elected to the Ohio Faculty Council of the Ohio Department of Higher Education, two members of the Senate representing colleges from the main campus, and two members of the Senate representing colleges from the health science campus. The Faculty Senate President and President-Elect shall also serve as the representatives of the Faculty Senate at meetings of The University of Toledo Board of Trustees.*

**Unknown Speaker:** Are there any changes?

**Senator Templin:** There are no changes. We are preserving it in the Constitution rather than moving it over to bylaws. Do we have any more time left?

**President Rouillard:** We have a few minutes left if you want to take a stab at number V.

**Senator Templin:** Article V.

**Article V:** *The Bylaws of the Faculty Senate shall detail the primary characteristics of the Faculty Senate and its committees and shall prescribe how Faculty Senate and its Committees function. Rules may also be adopted in order to prescribe the functions of certain Committees where greater detail is needed.*

*Adoption of the Bylaws and Rules shall be by a two-thirds affirmative majority of those present and voting of the Faculty Senate at a regularly scheduled meeting. Bylaws or Rules may be amended by a simple majority of those present and voting of Faculty Senate at a regularly scheduled meeting.*

*Except where a Bylaw or Rule of the Faculty Senate provides specific instruction to the contrary, Faculty Senate and its Committees shall operate in accordance with the latest version of Robert's Rules of Order in the conduct of its business.*

**Senator Templin cont'd:** This article is kind of giving guidance to where we go to structure things. Are there any questions on that?

**Senator Gibbons:** Shouldn't it be some notice that...as opposed to coming here having a surprise for changing it?

**Senator Templin:** That is why we said “regularly scheduled” because agendas go out for regularly scheduled meetings. We are trying to avoid a “we held a meeting on Thursday—oh, sorry, you didn't get the memo.”

**Senator Gibbons:** *[Indecipherable]*...the next meeting will address change “bylaw 50” or something?

**Senator Templin:** Well, except in Robert's Rules there is guidance with how you conduct a bylaw vote, and so it is in there.

**President Rouillard:** Mark, we want to thank you and your committee.

[Applause]

**President Rouillard cont'd:** I know there are at least two members here today—Greg Gilchrist is on Constitution and Rules and Don Wedding was on Constitution and Rules. Who else was on it? Okay, Mohammad, Glenn, Temeaka and Rob. Thank you also for your work on this document.

The next thing on the agenda this afternoon is something by Prof. Paulette Kilmer, who is coming to talk to us about the 21<sup>st</sup> Annual Banned Books week.

**Prof. Kilmer:** Let's begin with “appropriate” jokes:

- The past, the present, and the future walked into a bar . . . It was tense!
- Why do writers always feel cold . . . because they are surrounded by drafts!
- Why did Shakespeare write with ink . . . because he could not decide which pencil to use . . . 2b or not 2b!

Thank you for inviting me. The UT Banned Books Week Vigil began 21 years ago in Thackeray's Bookstore, and over the years it has grown, with the help of many of you in this room and the UT community, into a fun campus autumn tradition.

Before I tell you a little bit about our intellectual clambake this Thursday, let me share with you some words about banning:

“They came first for the Communists,  
and I didn’t speak up because I wasn’t a Communist.  
Then they came for the trade unionists,  
and I didn’t speak up because I wasn’t a trade unionist.  
Then they came for the Jews,  
and I didn’t speak up because I wasn’t a Jew.  
Then they came for me,  
and by that time no one was left to speak up.” — *Pastor Martin Niemöller*

“Yes, books are dangerous. They should be dangerous - they contain ideas.” — Pete Hautman

You want a library that won’t offend anybody? Easy. Just burn all the books; shred all the magazines; trash all the videos; destroy all the recordings, and take down all the paintings or posters. Fire the dean. Get rid of the librarians. Then glorious empty space will rule!— Me paraphrasing American Library Association 2018 promotion materials.

“I hate it that Americans are taught to fear some books and some ideas as though they were diseases.” Kurt Vonnegut

“The press is the enemy of the people!” Donald Trump, 2018

That last quotation alone proves that sadly the battle for the First Amendment is never over. “Big Brother is always lurking in the wings eager to tell us what to read and, therein, what to think.”

Thursday’s carnival of free inquiry would not happen without your support and the sacrifices the amazing Banned Books Week Coalition members make. I am blessed to work on this event with my coalition: Glenn Sheldon, Arjun Sabharwal, Josie Schreiber and Laura Mitchell. Dean Beau Case and many librarians also help us. We cordially invite you to celebrate the right to read and think freely—to take a moment to reflect on the power of words and the joy of reading them.

We celebrate Ground Hog Day, Arbor Day, and Valentine’s Day. Even National Pancake Day and Batman Day. The UT Banned Books Week Vigil is our campus’ holiday to pay tribute to the joy of reading for any reason and the role free expression—in all its forms—plays in our democracy. Join us in room 1005 of Carlson Library. I brought a stack of the speakers list. Invite your classes. Offer extra credit. We will give students attendance vouchers. We serve light refreshments all day and give away door prizes every half hour. This year, thanks to the generosity of our book champions, we will give away more than 200 banned or challenged books.

Our Banned Books Week Vigil is one of tens of thousands of events occurring in the United States, Canada, and other parts of the world to celebrate the American Library Association’s Banned Books Week. Thank you for inviting me. Once I get started, I could defend the banned for hours, but since it’s almost suppertime, I will quit for now. Thank you to all of you, and your departments and colleges for the support we’ve been given all of these years. Thank you for inviting me.



**President Rouillard:** Thank you for coming. Are there any other announcements? Is there a motion to adjourn? Meeting adjourned at 5:59 p.m.

**IV.** Respectfully submitted by:

Mark Templin  
Faculty Senate Executive Secretary

Tape summary: Quinetta Hubbard

Faculty Senate Office Administrative

## Faculty Senate Report to Board of Trustees

Good afternoon, Mr. Chairman and members of the Board. In my remarks today I would like to highlight the continuing collaboration between the Provost Office and Faculty Senate. That collaboration takes many forms. For instance, Faculty Senate was recently contacted by the Provost Office for nominations to an ad hoc committee to study the student evaluation of teaching survey. In another instance, Associate Vice Provost Denise Bartell and I have set the week of October 15 as our first meeting of a task force to review and revise the First Year Experience Program for incoming students. Our goal is to get as many faculty, staff, advisors, success coaches, students, student services, academic support services, office of diversity and inclusion representing all colleges to work together on improving that academic experience for our students.

FSEC will participate next week in the interviews with candidates for the AVP position in Mar/Comm. We appreciate the opportunity to provide feedback on candidates for a position that promotes our university and our programs.

FSEC has also reviewed a Free Speech Statement for optional inclusion in course syllabi, forwarded to us by Dr. Flapp Cockrell and it will be on the 9/25 FS meeting agenda which will also include a presentation from the Office of Diversity and Inclusion. Like you, we seek to create and maintain an environment that is respectful and inclusive.

Faculty Senate has also promoted initiatives from the Provost Office such as the Program of Academic Excellence and the winter intersession.

In short, I believe that we continue to have a good working relationship with both the Provost and the President who have always been open to discussion and problem-solving with us, the key characteristic of any successful organization.

Respectfully,  
Linda Rouillard, Ph.D.  
University of Toledo, Faculty Senate President