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**College of Polymer Science and Polymer Engineering University Committee
Representatives:**

Dr. A. Isayev	University Council
Dr. F. Harris	University Council
Dr. R. Quirk	Advisory Committee to the President
Dr. J. Throne	Advisory Committee to the Provost
Dr. G. Hamed	Faculty Well-Being Committee
Dr. A. Gent	Hearing Board Pool
Dr. E. Meinecke	Faculty Rights and Responsibilities Committee
Dr. H. Harwood	Academic Planning and Priorities Committee

Mr. Leigh Cromleigh has been announced as the second Non-Traditional Student Government Representative to University Council.

TABLE OF CONTENTS

	<u>Page</u>
Minutes of Meeting of University Council of 12-01-88.....	2
Appendix to Minutes of University Council Meeting	
A. Committee C Statement on Teaching Evaluations.....	20
B. Report of the Faculty Rights and Responsibilities Committee with Regard to Part-Time Faculty Resolution Grievance Procedures.....	22
C. Faculty Summer Research Fellowships.....	24
D. Academic Calendar 1988-89, 1989-90, 1990-91.....	25
E. Curriculum Changes.....	27
F. Amendment to Faculty Manual Section 3359-20-057.....	31
G. Report of the UA Representative, Faculty Advisory Committee to the Chancellor, OBR.....	32
H. Suggested Revisions to Proposal for A Faculty Ombudsman....	38

Any comments concerning the contents of The University of Akron Chronicle may be directed to the Office of the Senior Vice President and Provost.

MINUTES OF UNIVERSITY COUNCIL MEETING
December 1, 1988

The regular meeting of the University Council was called to order by the Chairman, Senior Vice President and Provost, Dr. Frank Marini, at 3:08 p.m. on Thursday, December 1, 1988 in Leigh Hall 307.

Sixty^{one} of the 82 members of Council were present. Those absent with notice were President William V. Muse, Acting Dean Glenn Atwood, Dean Claibourne Griffin, Dr. Jackie Anglin, Dr. Mary Ellen Atwood, Dr. Eric R. Birdsall, Dr. David S. Bernstein, Dr. Roger B. Creel, Dr. Frank Harris, Dr. William McGucken, Mr. George Pope, Dr. James Richardson, and Non-Traditional Student Government Representatives Carol Adams and Leigh Cromleigh. Absent without notice were ~~Mr. Michael Jalbert~~^{present}, Dr. Paul C. Lam, Mr. James W. Nolte, Dr. Judy Wilkinson, Associated Student Government Representatives Tony Brown and Roni Rosenberger, Graduate Student Government Representative Cindy Porter, and Student Bar Association Representative Parker Edmiston.

Item No. 1 - Remarks of the President. The Chairman began by stating that President Muse would not be at the meeting.

Item No. 2 - Consideration of the Minutes of the Meeting of University Council, November 3, 1988, as printed in The University of Akron Chronicle on November 23, 1988. Dr. Gary Oller, Secretary of University Council, read the corrections to the minutes which he had received.

There is one correction to the Table of Contents: The first item should read "Minutes of Meeting of University Council of 11-03-88," and not 11-23-88.

On page 2 in the attendance information in paragraph 2, Dr. William McGucken was listed as absent without notice. He should be listed as absent with notice, as he had notified the Secretary of Council that he would be unable to attend the Fall meetings.

On page 7 under H. Library and Learning Resources Committee, the punctuation is incorrect at the end of sentence (1) under Budget Subcommittee. The sentence "How does our library budget stand in comparison to other Ohio university libraries" should end with a question mark rather than a period.

On page 10, the typist inadvertently merged parts of two paragraphs into a single paragraph. Paragraph 2 should be stricken and the following 2 paragraphs inserted in its place:

Dr. Griffin, as the original mover of the proposal, then moved to delete item 4 in order to eliminate membership in the Faculty Rights and Responsibilities Committee, and this was seconded by Dr. Buchthal.

Dr. Gerlach had some difficulty with this because if Council ultimately did agree to include all Contract Professionals as entitled

to Council representation, and one of their number was already on the Faculty Well-Being Committee, he saw no sense in excluding them from Faculty Rights and Responsibilities, even though they had a separate grievance procedure.

On page 13, 6th line from the bottom of paragraph 3, the word "about" is missing from the sentence. It should read "...when he chided Mozart about that piece of music that had too many notes in it."

On page 18, 5th full paragraph, a word was left out of the first full sentence on line 4. It should read: "If the term 'accountable' simply meant that the Ombudsman was under the power of the Board, as was everyone here, that was acceptable."

On page 19, 6th paragraph, two words were left out. The sentence should read: "A vote was then taken on the motion to delete the second sentence of the opening paragraph, and it was passed."

Finally, at the October Council meeting a friendly amendment was made to the proposal for a faculty ombudsman to include a representative from Wayne General, who had been inadvertently excluded, on the selection committee. This mistake had not yet been corrected in the Proposal for a Faculty Ombudsman printed in the November Chronicle, but it will be corrected in the next revision.

The Chairman asked for additional corrections. Dr. Lawrence Focht wondered whether there was any difference between being described as absent with notice or excused. Dr. Oller responded that there was not. The minutes, as corrected, were then approved.

Item No. 3 - Remarks of the Presiding Officer. The Chairman reminded the chairs of standing committees that whenever possible they should give copies of their reports to Gary Oller or Linda McPherson one day prior to the meeting of Council.

He commented that at the last meeting he had told Council that he would be meeting with the General Studies Advisory Committee on November 16. That meeting had taken place, and the Committee intended to circulate a statement of its current thinking to department heads and wanted to consult with specific departments early in the Spring semester.

The Chairman stated that he and President Muse had continued to consider the question of STRS credit for part-time faculty, and that he had also had a few discussions with Mrs. Linda Weiner. This topic was postponed at the November meeting of Council because Mrs. Weiner could not be there. He wanted to postpone it again at this meeting because President Muse could not attend, but he wanted to tell Council that a resolution of the difficulties which had bothered it had been accomplished. He anticipated that President Muse would address this issue to Council's satisfaction when he next met with it.

As an item of information, the Chairman told Council that Dr. C. Frank Griffin had asked to be removed as the Chairman of the Radiation

Safety Committee, but that he would remain a member of that committee whose membership was appointed. Dr. Lindgren Chyi had agreed to take over as Chairman and had been appointed to that post.

In response to a question from Mr. Elton Glaser about an unclear statement of the Chairman as reported in the October 21, 1988 issue of the Chronicle, the Chairman gave the following clarification: In the third full paragraph on page 4 of the Chronicle of October 21, 1988, he was quoted as saying: "To questions concerning the composition of the retention, tenure, and promotion committees, Dr. Marini said that in those cases where membership was defined as 'at least all tenured members of the department faculty,' he assumed that this language had the intent of saying that non-tenured members of the departmental or, indeed, any faculty should not serve on that committee. The language might be interpreted to include people from outside of the department but not interpreted to mean to include all tenured members, and it may also include some non-tenured members."

His intended meaning was better conveyed by the following: "Dr. Marini said that in those cases where membership was defined as 'at least all tenured members of the departmental faculty,' he assumed that this language had the intent that all tenured members of the departmental faculty were committee members, that no non-tenured members of the departmental faculty would be committee members, and that under certain specified conditions the committee could have members in addition to the tenured members of the departmental faculty (i.e., members from some other department) but that all such members would also have to be tenured faculty members." Dr. Marini thanked Mr. Glaser for bringing this to his attention.

Finally, the Chairman reminded Council that at its last meeting he had informed the members that, at President Muse's request, he was forming a task force to undertake a comprehensive review of the Honors Program and to make such recommendations as seemed wise for strengthening the University's approach to Honors Programs. He had intended to appoint to that task force some present and former members of the University Honors Council as well as people from Student Services and University College. He had also wanted Council to designate three faculty members to serve and had hoped that under New Business some Council member would suggest a procedure for selecting or designating three such individuals. Unfortunately, the agenda item of New Business had not been reached at Council's last meeting and therefore nothing had been done about this question. He asked that Council now deal with this matter so that he could proceed to form this task force.

Dr. Dale Jackson proposed that the deans of the three colleges with the largest number of Honors students nominate the three committee members, and this was seconded.

Dr. Don Gerlach was concerned whether, by employing the proposed procedure, Council would guarantee that certain categories of people would be covered. He suggested that it might be a good idea to have one or more of the members of the original drafting committee on Honors appointed to the task force in order to have their perspectives after

ten years reflected there. Dr. Paul Merrix stated that it was precisely because the original Council created the program that he would not want any of them on this task force and would like completely different people.

The Chairman made the clarification that the three people nominated did not have to be Council members. Desiring Council to be included in the consultation in setting up the task force, he was asking it to designate three people, whether members or not.

Discussion of this clarification continued and Mr. David Jamison noted that the meeting's agenda stated three University Council members would be selected. The Chairman apologized and said that the statement in the agenda was an error.

Dr. William Fleming asked whether these three persons would be chosen from teaching faculty or from the University at large.

Dr. Jackson, when asked by the Chairman about the intent of his motion, assumed that they would be teaching faculty. Dr. Gerlach then moved to amend the motion to stipulate that all those members named by the three deans should have been faculty who had in the past ten years or so taught Honors courses. This was seconded by Dr. Oller. Dr. Merrix spoke against this as before, noting that he wanted no one nominated who had had anything to do with the Honors program. He wanted some completely new people.

Dr. Yoder asked for and received clarification that the motion intended nominees who had taught Honors courses but who had not been involved in the establishment of the program. Dr. David Buchthal pointed out that not all departments had specific Honors courses and that this would cut down tremendously the pool of appointees. For this reason, he would oppose the amendment.

Council then voted on Dr. Gerlach's amendment, which was defeated. Attention then returned to the main motion, which stipulated nomination by deans of three members to the task force, and Council voted its approval.

Item No. 4 - Special Announcements. There were no special announcements.

Item No. 5 - Reports of Standing Committees.

A. Executive Committee - Dr. Oller, Secretary, reported that the Committee had met on November 17 in order to set the agenda for the December 1 Council meeting. One item of Old Business (Faculty Ombudsman), two items of New Business (amendments to the Council Bylaws), and a number of items from the Academic Policies, Curriculum, and Calendar Committee were placed on the agenda. It was also decided that because of the many proposals from the APCC, its report would be the last from the standing committees of Council.

The Committee also decided to recommend to Council that a Statement

on Teaching Evaluation which it had received from Committee C of AAUP (see Appendix A) be referred to the Faculty Rights and Responsibilities Committee for study and reaction. The Committee also discussed with Dr. Marini the proper way to handle the question of nomination of three names by the Council for membership in a task force to examine the Honors program and decided that it could be treated as a special order of business within the context of the remarks of the presiding officer.

Finally, there was some discussion of the new forms from the APCC for new courses, course changes, etc. In regard to some of the questions raised the Chairman, Dr. John Bee, said that he would talk to Associate Provost Constance Cooper, the Chair of APCC.

Dr. Oller then moved that the Statement on Teaching from Committee C of the AAUP be referred to the Faculty Rights and Responsibilities Committee for further study and its recommendation. This was seconded.

Dr. Gerlach commented on the excessive use of the word "should" in the document and said he thought that these ought to be changed to "shall" in order to indicate requirement. He wanted FRRC to be made aware of this. When asked by the Chairman to notify the Committee about this, Dr. Oller responded, "I shall do it."

Council then approved the motion to refer.

B. Academic Planning and Priorities Committee - Dr. Marini reported that the Committee had met on November 11 and would meet again on December 9.

After some confusion, it was noted that the APCC report, which would normally follow, had been placed last because of the large number of items from that committee to be dealt with.

C. Athletics Committee - No report.

D. Campus Facilities Planning Committee - Chairman Art Pollock reported that the Committee had met on November 11 with Mr. Dennis Kleidon, Chairman of the Art in Public Places Committee, and with Ms. Patricia Fuller, consultant to the University on the Buchtel Commons Project. Mr. Kleidon briefed the committee on the role of the Art in Public Places Committee, which is to offer advice on making the campus more aesthetically pleasing. Ms. Fuller shared with the Committee the scope of her involvement in the Buchtel Commons Project and invited suggestions from members of the Committee. Committee members shared some of their thoughts concerning the desirability of carrying the visual impact of Buchtel Commons to the West Campus, the need to carry themes such as brick walks throughout the campus, and the need for integrating campus and community with such things as signage, visitors' welcome centers, etc.

E. Faculty Rights and Responsibilities Committee - Dr. Thomas Miles, the Chairman, reported that the Committee had met on November 3, 10, and 22 in regular session. In regard to the issue of appointment with tenure which had been referred to the Committee, any interested

faculty were invited by campus mail to meet with the Committee in order to discuss the question. The meetings were held in the Pine Room of the Gardner Student Center on Monday, November 28 from 2:00 to 4:00 p.m. and Tuesday, November 29 from 9:00 to 11:00 a.m.; a total of eight faculty members had participated.

Dr. Miles also reported that the Committee had taken up the question of grievance procedures for part-time faculty (see Appendix B). It recommended the creation of an ad hoc committee to study, evaluate, and provide answers to the various questions raised and to make recommendations to Council with ^{regard to} the Part-Time Faculty Resolution Grievance Procedures.

There followed a discussion of whether Dr. Miles, reporting for the Committee as an ex officio rather than voting member of Council, could move the recommendation of the Committee that the ad hoc committee be created. Dr. Bee said that, according to Robert's, an action recommended by a committee had the status of a seconded motion when it came to the floor. The Chairman was not sure but was willing for the time being to abide by that reading.

Dr. Gerlach wanted to know why the Faculty Rights and Responsibilities Committee was not competent to inquire into the questions which had been raised. As the Committee concerned with faculty rights and responsibilities, its members ought to be able to deal with any category of faculty. Why could it not handle the matter? Dr. Miles responded that the Committee was faced with a host of questions related to what the rights of part-time faculty were and had come to the conclusion that the rights given by the Board of Trustees to faculty members were contractual rights. Based on that, the Committee did not think that it was in a position to interpret contracts between the Board and part-time faculty members. There were other attendant issues regarding contractual obligations that part-time faculty might be empowered to discharge in the performance of that contract. The Committee thought that it was inherent in this contract to be very clear on what the rights were; and until informed on what they were, it did not want to act.

Mr. James Inman asked whether the Committee had any suggestions on how the ad hoc committee could be established and on the composition of its membership. Dr. Miles answered that the committee would recommend that at least half of the ad hoc committee's composition be made up of part-time faculty.

Mrs. Linda Weiner stated that she had drawn up a list with the names of faculty, both full- and part-time, who had expressed a willingness to serve and that she would be happy to pass that on to the Executive Committee from the part-time faculty for its consideration.

The Chairman noted that implicit in that was the suggestion that the Executive Committee would constitute the ad hoc committee, and that had not been decided.

Dr. Gerlach, supposing that Council should act under the assumption

that the Executive Committee, which was the committee on committees for Council, could appoint standing committees, made an amendment to the motion on the floor that stated the Executive Committee would appoint the members of this ad hoc committee with the additional stipulation that half of its membership be part-time faculty. This was seconded and approved by Council.

Although the Chairman noted that the amendment had dealt with the entire matter, Council then voted approval of the main motion from FRRC.

F. Faculty Well-Being Committee - Chairman Mark Soppeland, reported that the Committee met on November 18 to review faculty/staff health insurance benefits. Information was provided to the Committee by Associate Provost Faith Helmick, Vice President for Business and Finance Darryl Bierly, Acting Budget Director Thomas Getzinger, Benefits Services Manager Mrs. Desnay Lohrum, Aetna Representatives Ms. K. Moore and Mr. J. Bernard, and Associate Vice President for Administrative Services Howard Baldwin.

The Committee discussed several questions: 1) Is there a one-year limitation on individual benefits? The answer was that there was no longer such a limit, and there was no day limitation on hospitalization. 2) Can dollar amounts be provided to faculty concerning what is "reasonable and customary?" No such figures could be given, as it would be a violation of the Sherman Anti-Trust Act. Aetna's "reasonable and customary" covered the prices of 90% of service providers. If individuals were concerned with the extent of coverage for a particular procedure, they should contact the Aetna representative. 3) What success have we had in our efforts to provide health insurance benefits for part-time faculty? No carrier could be found because of the nature of the group. Section 89 of the Internal Revenue Code would go into effect in January, 1989 and, depending on its interpretation, benefits might have to be extended to a greater number of people.

The Committee was presented with suggested changes for the health benefits package for the coming year. Last year the cost of benefits rose 35% and it was projected that they would rise 50% in the coming year. The University now was essentially self-insured and the increased costs would be managed with a plan covering three areas of potential savings. The first was in changing the methods of financing the plan, the second was in the plan design, and the third was in employee participation. The University had committed itself to assuming 75% of the new costs. Benefits would remain almost the same, although deductibles would rise. There would be encouragement of savings through employee involvement in such areas as mail ordering long-term pharmaceuticals and self-auditing of medical bills. More specific information would be forthcoming.

G. Library and Learning Resources Committee - Dr. Robert Kent, the Chairman, reported that the Committee met on November 22 to consider preliminary reports from its standing subcommittees. The Budget Subcommittee would be meeting with the ULLR Director to discuss the budget for the coming fiscal year. The User Subcommittee noted that it thought there was a need to develop a code of conduct for library use by

students, faculty, staff, and the general public. This stemmed from considerable concern about misuse of library facilities and materials (eating, noise, unacceptable behavior, and defacing and destruction of library materials). The Committee instructed the subcommittee to develop a draft of a code of conduct.

The Space Subcommittee reported that it had toured the library facilities with library faculty and staff to examine the problems of space in Bierce Library. On the basis of this, it recommended that the full committee consider the following suggestions: 1) Suggest that the ULLR Director request the Educational Resources and Development Offices currently located on the third floor of the library be moved elsewhere, perhaps to the College of Education, since these offices have no link to the library or library services. 2) Suggest that the ULLR Director request that the University architect examine the possibilities of increasing the amount of study carrel space available to students in the library. More intensive use of this space might be possible. The full committee passed both suggestions and forwarded them to the ULLR Director. Finally, the Committee requested that this subcommittee examine the considerable space problems being experienced in the Science and Technology Library and report on these later.

H. Reference Committee - No report.

I. Research (Faculty Projects) Committee - Dr. Carl McMillin, the Chairman, reported that the Committee had met on November 11 to evaluate the 22 proposals submitted for Summer Research Fellowships. These proposals had been reviewed and ranked according to merit, and a list of the 13 which had been selected for funding would be published in the Chronicle (see Appendix C). Also, an ad hoc committee had met to review the procedures used by the Committee and would be forwarding their suggestions to the full committee later.

J. Student Affairs Committee - Associate Provost and Dean Robert Dubick, the Chairman, reported that the Extracurricular Activities Subcommittee had met twice and would meet again on December 5 to complete the process of reviewing contingency funding requests from registered student groups. The Awards, Scholarships, Grants and Loans Subcommittee would meet on December 5.

K. Academic Policies, Curriculum and Calendar Committee - Associate Provost Constance Cooper, the Chair of the Committee, stated that the report which she was presenting reflected actions taken at meetings on October 18 and November 15. She encouraged all APCC members to actively participate in the discussion of the items presented to Council.

The first item was a motion to approve the degree candidates for the January, 1989 commencement, whose names were listed on sheets circulated at the meeting. Acting Dean Jack Watt seconded the motion, and then Council voted its approval.

The next item was approval of a change in the calendar for 1988-89 - commencement would be on Saturday, May 27, 1989 instead of Sunday,

May 28, 1989 - and a recommendation to adopt the proposed calendar for 1989-90 and the preliminary calendar for 1990-91 (see Appendix D).

Associate Provost and Dean Dubick noted that the proposed graduation dates for 1989-90 and 1990-91 (Saturday, May 19 and Saturday, May 18, respectively), with the final examination period as it was on those two calendars, would not provide the time needed for the office of the Registrar to process the degree candidates in time to meet that commencement activity. Some general discussion then took place among Council members and the Chairman reminded Council about trying to keep things businesslike.

Dean Isaac Hunt commented that the Law School schedule was not listed on the calendar, and he wondered whether the University was capable of handling both the Law School commencement and the University commencement on the same day in terms of manpower, etc.

After additional discussion, Associate Provost and Dean Dubick moved that the dates in 1989-90 and 1990-91 be changed as follows for commencement: in 1989-90, from Saturday, May 19 to Saturday, May 26; and in 1990-91, from Saturday, May 18 to Saturday, May 25. This motion was seconded.

Dr. William Fleming said that shortening the time between the end of finals and the actual awarding of diplomas presented only two possibilities - either to give blank diplomas as some other institutions have done in order to avoid possible problems, or to force ourselves and the Registrar to meet the new deadline. This latter choice had the potential of greatly increasing the number of errors. He therefore preferred to keep things as they were and supported the amendment.

Mr. James Inman stressed that this subject had been covered every year in Council, and he wondered why it was necessary to constantly "reinvent the wheel." He wanted to know why the Committee had chosen to move graduation up a week. Council had surveyed student opinion, and the students said that they wanted the actual diplomas, not just pieces of paper. If the University wanted to continue to do this - awarding the real diplomas - commencement had to be put off a week so that grades would be in on time. The solution of turning in graduating seniors' grades early made havoc with professors, grading, taking exams, and everything else. Why then would the Committee recommend moving it up a week?

Associate Provost Cooper mentioned that the second recommendation of the Committee in regard to this question was that a policy be adopted which required that grades for degree candidates be due at 5:00 p.m. on the Monday following examination week. Dr. Marini noted that this was not yet before the body but was information relating to the reasoning of the motion under discussion.

After being asked again why the Committee did what it did, Associate Provost Cooper responded that the Committee thought that with better computerization of the Registrar's office, many of the problems would be eliminated. Also, the Committee did not think that it would be

an exceptional hardship for professors to be able to process seniors' grades in that short time. Thirdly, the Committee thought that it would be to the benefit of students to be able to graduate at an earlier date so that they would be able to enter the employment market in competition with other graduates.

Dr. Fleming said that the early processing of seniors' grades overlooked the fact that many classes had seniors, juniors, and sophomores in them. This meant that for the final exam you would have to isolate the seniors and give them one set of exams, and then later take the other group and give them a different set of exams. The logistics on it were frightening.

Dr. Lawrence Focht thought that the proper direction in which Council ought to move was the repeal of the "72-hour rule." The Registrar's office apparently was capable of dealing with the earlier graduation date if grades were due by five o'clock on Monday instead of Tuesday. It seemed crazy to him to keep people around here for two weeks between the completion of exams and graduation. Other schools were capable of accomplishing the earlier graduation. Why not push both the Registrar and the faculty a bit? A proper solution was to require the grades by five o'clock on Monday. Associate Provost and Dean Dubick responded that the Registrar's office needed five processing days; since graduation was being moved to Saturday from Sunday, the Monday deadline would no longer suffice. Dr. Fleming added that those students for whom it was a real hardship to wait around for two weeks could always take their diplomas in absentia.

Dr. Buchthal said that he had heard Associate Provost and Dean Dubick propose pushing back graduation for one week and then also make the statement that if the 72-hour rule were repealed and grades were due on Monday after final exam week, with graduation held on Sunday, the diplomas could be ready. Wouldn't it make more sense to withdraw the first motion and put the second alternative to a vote? Associate Provost and Dean Dubick responded that he did not like the second choice.

Dr. Mary Rainey stated that she would strongly resist any change of the 72-hour rule. Heated debates had been held on the subject in Council before, and she thought that a rather accurate assessment of what faculty members wanted in regard to preserving their prerogative in the grading sequence had been attained.

Dr. Marini reminded Council that a modification of the 72-hour rule was not before the body. The motion which was being discussed was an amendment to change certain dates. If discussion was exhausted on this, he asked that the amendment be restated. Dean Dubick repeated his motion that the calendar dates proposed as Saturday, May 19 under 1989-90 and Saturday, May 18 under 1990-91 be changed to Saturday, May 26 and Saturday, May 25, respectively. The Chairman then called for a vote, and the amendment was passed.

Dr. Michael Farona asked whether there was a policy regarding the date of the beginning of the Fall Semester in relation to the date of

Labor Day. The Chairman responded that, as Council was discovering today, any long-range policy in regard to the calendar was subject to the sort of recommendations which the APCC yearly chose to make. No one could predict the blinding effect Council debate in any given year would have on future years. He thought that the answer to Farona's question was that nobody knew.

Council then voted on the calendar from APCC as amended, and it was passed.

Associate Provost Cooper then moved the next recommendation from APCC, which would require that grades for degree candidates be due at 5:00 p.m. on the Monday following examination week. Dr. Gerlach wondered whether this was necessary in view of the action which Council had just taken. From what he had gathered from the discussion, it was not necessary, and he intended to vote against it.

When queried by the Chairman, Associate Provost Cooper thought that it still was necessary for Council to act on the recommendation and that she still had to report it. The Chairman thought that it was not proper to make the chair of a committee withdraw something which the committee had sent to Council, and he asked for additional discussion.

Dr. Fleming noted that subject matter frequently did not lend itself well to very rapid computation of grading. He thought that the present deadline was about as tight as things should be, and he would vote against the motion.

Council then defeated the motion.

Associate Provost Cooper then moved approval of curricular proposals CT-89-2, ED-89-1, BA-89-2, and BA-89-3 (see Appendix E), and noted that there were no objections filed to these proposals. Dr. Gerlach asked whether one vote would handle them all or if Council was to vote on them separately. The Chairman assumed that the motion was to take these four together. Associate Provost Cooper had separated one of the proposals listed on the agenda - BA-89-4 - from the rest, but ^{he (the Chairman)} she assumed that it would be moved separately. Dr. Gerlach stated that this put him in an awkward position because he had a question about BA-89-3 and therefore would be forced to vote against them all, although he did not want to. Dr. Gerlach then moved that BA-89-3 be separated from the others; this was seconded and approved by Council vote. Council then voted to approve the remaining three proposals.

The Chairman then asked Council to consider the just-separated proposal BA-89-3, which was a proposal to change the name of the College of Business Administration's Department of Accounting to the School of Accountancy. Dr. Gerlach stated that he was not persuaded by the arguments set forth in the rationale. What bothered him was that in his understanding of nomenclature for universities, a school generally had had the status of a college and not a subdivision within a college. In checking dictionary references, he had discovered that the term could cover a good many things, but that the emphasis seemed to be that it was the equivalent of a college or at one point, as the reference stated,

"Faculty who specialize in higher education, usually within a university." He thought that this would better suit a medical school or a law school, which were the equivalent of colleges. For these reasons, he was not inclined to support the proposal. There was no further discussion, and Council then voted its approval of this proposal.

Associate Provost Cooper then moved the approval of curriculum proposal BA-89-4 and noted that there was one outstanding objection. She then moved that Dr. John Wodarski, Associate Vice President for Research and Graduate Studies, and not a member of Council, be allowed to speak in order to present his objections. This was seconded, and Council then voted to allow Dr. Wodarski to speak.

Dr. Wodarski said that he had two major reasons for speaking against this proposal. He did not think that it was proper for a student to be allowed to receive a grade below C in a course within his major. A D in such a course did not really attest that the student had properly absorbed the knowledge, competencies, or skills required. Also, he spoke against the proposal in terms of academic integrity toward what such a practice would communicate to the general community of Akron and the world, and to other students about what the University represents.

Dean Dunlap responded that this proposal had been initiated by the Finance Department to reverse their current policy, which was the one advocated by Dr. Wodarski. The College of Business Administration had a requirement that the students must have a C average in all of their major courses and a C average in all of their College of Business and economics courses. All of the departments in the College, with the exception of Finance had the same ruling. A student in that department was withheld from graduating if he had a D, even though he had above a 2.0 in all the rest of his courses, all the College of Business courses, and even above a 2.0 in his major. The Finance Department initiated this proposal to deal with this situation, and it had been approved by the Business College at all levels.

Associate Provost Cooper commented that the APCC had not endorsed the policy of a student being required to have a C average over all of his major courses. The issue before the Committee had been merely the approval or non-approval of the proposal.

Dr. Wodarski still objected to a student receiving a D in a major course in which critical skills were taught which he would utilize upon graduation. A better policy would be to require that student to repeat the course; if he earned a C, the D would be removed and the C substituted.

Dr. Frank Griffin said that the argument which prevailed in the discussion of the APCC regarding the proposal was that the Committee did not think that it could hold one department to higher standards than were required by the rest of the College.

Dr. Fleming noted that he would not like to go against the recommendations of the faculty of the College which was making this

decision. Also, looking at history and a number of people who have occasionally made poor grades in schools and turned out to be major contributors to civilization, he was not sure that one D should be considered enough on which to hang somebody. He recalled that Winston Churchill had failed a number of subjects, probably including public speaking.

Dr. Mary Rainey thought that in a number of professions there were outside bodies which licensed or certified individuals and therefore pressured our academic units in asking for grades of a certain level in order for a person to be eligible for certification. That seemed to be the appropriate place for this sort of regulation to occur. Academic units could allow more flexibility in terms of their judgments because not everyone going through the program necessarily would go for the outside examination and licensure or certification. She therefore favored allowing the College of Business Administration to have its way.

Dean Jane Martin ~~Martin~~ stated that it was important for Council to separate the policy issue and the question before the body. Council was being asked to look at one department which was attempting to reverse a grading procedure that had moved it out of line with the rest of its college. This proposal would put it back in line. One might be in favor of a University policy which stated that a student should have a C or above in all major courses, but at the moment that was not University policy and was not the issue here. Therefore, she spoke in favor of approving the proposed change.

Dr. Merrix called the question, and Council voted in favor of terminating debate. A vote was then taken and the proposal was approved.

Associate Provost Cooper then reported that the APCC had voted not to forward to Council a revised proposal regarding withdrawal policy. The Chairman said that he would have expected a recommendation to the effect that Council not adopt this but, on the other hand, since no one had objected to presenting this as a piece of information and since the Committee was going to allow this to die in Committee, he would let it stand in this form.

Dr. Oller said that he had no objection to the actions of APCC. Having been chairman of the Policy subcommittee of APCC for two years when it was dealing with the question of revising the withdrawal policy, he knew how difficult it was to attain any consensus on changes. He did have one question which he wanted to raise. One of the reasons that changes in the withdrawal policy had been considered was a request from Dr. Sebetha Jenkins, Director of Minority Affairs, that some kind of exit interview be required of students who were contemplating total withdrawal from the University before they took that drastic step. This was one of the elements which had been incorporated into the proposed revised policy, and Dr. Oller thought that perhaps Council ought to consider at least this particular element of the proposal. It was possible that the new University committee on retention was dealing with this issue, but the exit interview was something that was a part of the original proposal which he wouldn't like to see disappear.

Associate Provost Cooper clarified her report in regard to this matter by stating that it was the Committee's recommendation that Council take no action on the withdrawal policy. The Chairman responded that he understood and interpreted the situation to be that this item of business was the property of Council and had been referred to the subcommittee. That subcommittee had informed Council that it intended to take no action on it. If no Council member objected, he thought that this was satisfactory. Council had heard an assertion that perhaps not all of it should die in subcommittee and that APCC ought to reconsider at least one portion of it. Since no member had moved anything with reference to this item, and since the APCC had simply informed the body of its intention to do nothing with it, there was no action before the Council at this time.

Associate Provost Cooper next recommended the adoption of the "Proposal For A Midterm Grade Reporting System," with the following amendment which would replace paragraph two of the original document:

"It is proposed that a midterm grade report system be instituted whereby all students earning D's or F's in 100-level courses would receive a grade report during the ninth week of the term."

Confusion then arose over the fact that some members of Council had never seen the original proposal, of which the statement on the agenda was only an amended portion. After some explanation by the Chairman, Dr. Paul Merrix moved that the item be postponed until the next meeting of Council. This was seconded and then approved by Council.

Finally, Associate Provost Cooper reported that the APCC recommended that Council approve the replacement of 3359-20-057 (D) "Publications and Promotional Materials," on page 94 of the Faculty Manual as revised in August, 1988, with the language in the document which begins "(D) Academic Publications," and with the addition of the following language at the end of (E) (4): "...including the creation of an advisory board of scholars from institutions other than The University of Akron." Although this too was a carryover of APCC from last year, the full wording of (D) and (E) had been distributed with the agenda so that Council members had the entire document before them (see Appendix F).

Dr. Fleming asked whether the language added at the end of (E) 4 meant that no member of the faculty of the University could sit on this advisory board. The Chairman and Associate Provost Cooper agreed that it did. Dr. Merrix disagreed, stating that it was customary and important to have referees or advisory board members from outside your own institution in order to have credibility, but that you could have scholars from within the institution as well. He wasn't quite sure how to straighten this out, and the Chairman suggested that an amendment which would say "...including the creation of an advisory board which includes scholars from other institutions," might handle it.

Dean Hunt then proposed amending the language to say "...including

the creation of an advisory board of scholars from The University of Akron and other universities," and this was seconded. Dr. Gerlach objected to the use of the term "universities," which he thought narrowed the range of opportunity. The word "institutions," however, would point in the other direction, although he wouldn't want scholars from institutions such as penitentiaries but from other learned institutions which might include scholarly operations other than universities.

Dean Hunt restated his motion and changed the last part to read "...scholars from The University of Akron and other learned institutions." Dr. McMillin supposed that the use of the term scholars defined that they would not be from penitentiaries. Dean Hunt thought that Dr. Gerlach had a good point in that there may be institutions other than universities, such as research institutions, from which we might want to get advisors. Dr. Merrix added that there were many scholars currently unattached to any institution or university. Would the amender accept a further change: "...scholars from Akron and elsewhere?" Dean Hunt said that he would.

Acting Dean Watt, who along with Dr. Merrix had been on the subcommittee that worked on this, wanted to emphasize for the record that the subcommittee felt strongly that the majority of these people should be from elsewhere than The University of Akron. Since there was an Editorial Board made up of University of Akron faculty, the whole thrust of creating the advisory board was to provide for the reactions and advice of people from other institutions. He put this into the record as an item of interest and for purposes of the enlightenment of Council members.

The Chairman then reminded Council that it was about to vote on an amendment which would stipulate that this advisory board should include scholars from Akron and elsewhere, and that the minutes would clearly show that it was the intention of the recommending committee that a majority of people on the board be from elsewhere. Council then approved the amendment. The Chairman then returned to the main motion, which was acceptance of the entire document under discussion, and it was passed by Council.

Item No. 6 - Report of the Akron Representative on the Faculty Advisory Committee to the Chancellor of the Ohio Board of Regents. Dr. Mary Rainey stated that the Chancellor was not present at the last meeting and that she would disseminate the minutes of that meeting to Council after they were approved at the December meeting of the Faculty Advisory Committee to the Chancellor (see Appendix G).

Item No. 7 - Old Business. The Chairman stated that the minutes of Council indicated that the body had adjourned with the understanding that the Ombudsman proposal would return to the floor as a continuing item of Old Business with a report from Dean Hunt, as a committee of one, at the next meeting. Council would therefore now return to this item and hear from Dean Hunt.

Dean Hunt reported that he had conferred with the University's

Office of Legal Affairs with respect to Section 5 of the "Proposal for a Faculty Ombudsman" (see Appendix H), and their conclusion was that section 5a of the proposal was subject to the provisions Chapter 1347 and Section 149.43 of the Ohio Revised Code. Essentially, anonymity and confidentiality might not attach to public records. This was a public institution and, therefore, any records which it kept would be public records under Ohio law. Anonymity and confidentiality did not attach to public records or personnel information systems as defined in Ohio law, except to the extent that specific exclusions existed to authorize non-disclosure. So far as they could determine, none of those exemptions for disclosure applied to the kinds of records that this document spoke to - the exemptions pertained to pretrial work and that sort of thing - so that these would be public records and open to anybody upon request. Further, the records maintained by the Ombudsman would constitute public records at a minimum, and would likely qualify as a personnel information system as well. This meant that they would have to be further qualified in the way they were maintained under Ohio law.

Dean Hunt continued with respect to section 5: Article "d" states that "The Office of Faculty Ombudsman may be evaluated and reviewed by University Council at any time after one full year of operation." Article "e" then states that "The Office of Faculty Ombudsman may be abolished at any time by the majority vote of the University faculty upon recommendation of University Council." Dean Hunt advised that the Office of Legal Affairs saw this as a conflict with the statutory discretion vested in the Board of Trustees to fix the compensation for and terminate employment of University professors.

Dean Hunt then noted that there were other comments raised by the Office of Legal Affairs on other parts of the proposal. He wondered whether he should bring them up now or as Council proceeded through the document. The Chairman suggested that he try to bring them up now and see if there were any objections. Dean Hunt then read through the document, presenting suggested emendations and changes in language, as well as the Office of Legal Affairs' reasons for them. These can be seen in Appendix H.

After Dean Hunt presented the suggestions, the Chairman noted the complexity of the statement and anticipated that Council would have to proceed by considering each item separately. Dean Hunt proposed that the document with the suggested changes be made available to all members of Council for their consideration at the next meeting. Dr. Walter Arms, who had been concerned as to how the Secretary of Council was going to make all of this a matter of record, thanked Dean Hunt for the suggestion.

Mr. Elton Glaser described Dean Hunt's suggested changes as Dickensian and found it difficult to keep them all in mind. Given the fact that according to Hunt's report the files of the Ombudsman would be open to public inspection, he wondered whether many complainants would come forward. If there would be no protection in it regarding anonymity, etc., he thought that he would vote against the adoption of this document. Dean Hunt responded that as long as we were a public institution and these records were kept in the official capacity of

somebody who was an employee of this University, they would be public documents of a public institution. If someone were to come forward and ask for these records, it would be difficult to keep him from getting them.

Mr. Glaser asked how a file in this case differed from a file in an appeals process. He assumed that someone denied tenure appealed and made his argument for the file on that appeal, and that the file was not a matter of public record. How was that confidentiality different from what was happening with the Ombudsman? The Chairman said that the question was in what way would these files be any different than grievance files to other processes in the University or, indeed, any personnel files in the University? When somebody filed a complaint with a grievance committee and there was a hearing, and a record was produced of that hearing, then that record, too, had to be as open to public scrutiny.

Dean Hunt agreed, but Mr. J. Dean Carro noted that there were some exceptions, and not every record was mandated to be released. Dean Hunt continued that he and the Office of Legal Affairs did not think that in most cases the exceptions in the statute would pertain to the records that the Ombudsman would keep. The specific exemptions did not seem to be applicable. As to the grievance files, if somebody asked for those or if somebody asked for the personnel records of anybody here, the position of the Office of Legal Affairs had been that they would have to be released.

Mr. David Jamison commented that Section 149.43 had been amended three times by the Legislature in the past five years, each time to open up more records and to diminish the exemptions. Moreover, it now said specifically under 1347 that the privacy act did not apply, so he thought that the position taken here was in accordance with the current State of Ohio law. Whether we liked it or not, many more things were open than assumed, and he thought that these would be covered under the amended 149.43.

Dr. Dale Jackson thought that the lawyers were talking about what might be the worst case. In practice, he doubted that these records would come forward or that a minor complaint, or even major complaints, would appear before the public in a matter of this type.

Because he had been involved in this type of thing for a long time, the Chairman, as a point of clarification, noted that in Ohio he had been asked for records by newspapers and others which he had declined to give them. His reasoning was that if they asked for a record which he was required to maintain, he had to give it to them. However, if they asked for a record which he had but was not required to keep (i.e., his own notes or something), he did not have to give it to them. So far, this policy had not been violated, but it would only take a subpoena to challenge it. In the case of the language in this document, it seemed to require the maintenance of records. He believed that once you had that requirement, some people would have access to the documents under much broader circumstances in Ohio than in any other state in which he had worked.

Dr. Fleming reminded Council members of what was happening now in libraries, with the FBI and other agencies checking library lending records. Dr. John Bee said that this problem shed light not only on the Ombudsman proposal but also cast operations of that sort into a very broad perspective. This would be true of all the University's appeals processes and any number of other operations, and in that way we could view the glass as either being half full or half empty. A request for documents was equally likely or unlikely to be made of the Ombudsman as well as of any other process of the University. Perhaps experience and past precedent in the operation of appeals committees and other processes now in place, which suggested that it was very rare for anybody to seek access to documents which had generally been held as confidential, would allow us to assume that the same situation would hold under most ordinary circumstances for an Ombudsman while recognizing that the Ombudsman's records, as well as a lot of other materials which we previously had not suspected, might have to be turned over or shown.

Dr. Fleming moved that because of the lateness of the hour and the complexity of the proposal, further discussion be postponed until the next meeting of Council, which would also give members an opportunity to review the suggested amendments of Dean Hunt and the Office of Legal Affairs. This motion was seconded and then approved by Council.

Dr. Gerlach noted that there were two items of New Business - the first a matter of adoption and the second, not a matter of adoption but merely of placement on record. However, Dr. Rainey stated that she had serious problems with the first item and moved for adjournment. The Chairman, noting that the matter was not debatable, called for a vote; and Council voted to adjourn.

APPENDIX A
COMMITTEE C STATEMENT ON TEACHING EVALUATIONS
(Revised November 1988)

Introduction

A high standard of instructional quality is a stated goal of this institution. One approach toward achieving this goal is a formal and systematic assessment of teaching. Departments and colleges have been required to adopt standardized instruments for the general evaluation of teaching. Results from such evaluations will clearly play a role in promotion, retention and tenure and, very likely, in salary recommendations. The University needs guidelines which ensure that the rights and interests of the faculty are observed and protected.

Any evaluation which purports to assess an individual's teaching contribution by a single composite "score" is neither credible nor justifiable. Teaching is recognized as a complex and multi-dimensional endeavor. Its evaluation must be sufficiently sophisticated comprehensive, and balanced to ensure meaningful and fair results. The literature in this area indicates such an evaluation should include several different methods for assessing teaching, such as student surveys, interviews, self-analysis, review of course syllabus and examinations, and classroom observation by colleagues or trained observers. At present, unfortunately, our required evaluations may consist only of a score from student responses to some standardized questionnaire.

Further concerns are raised by the quality of presently used evaluations which may range from an anonymous survey someone found in a file to a well-researched, validated, and nationally-normed instrument. This unevenness demands great caution and restraint in interpreting the results and in making comparisons. Whether or not faculties can develop better and more appropriate teaching evaluation instruments, the policies for the use and interpretation of such instruments must be developed and clearly stated.

Until such time that there is greater confidence and experience with more uniform and more comprehensive teaching evaluations, the results should be treated with appropriate skepticism and regarded as confidential.

Recommendation:

Consistent with the above observations and the Faculty Handbook, the following should be adopted as guidelines regarding teaching evaluations for full-time and part-time teaching faculty:

1. The evaluation processes, forms, etc. should be developed and/or agreed to by the various faculties affected, appropriate to the discipline and/or level involved. Statistical data and summaries of results, as deemed appropriate by the discipline/level/department faculties, should be made available to the faculty members.

2. These procedures, rights, and responsibilities developed by the faculties should be clearly stated in writing. No changes should be made in practices without the prior agreement of the appropriate faculties.
3. Evaluation results of individuals are to be treated with due confidentiality by the department head and appropriate department/college committees.
4. Individual evaluations and any statements or interpretations by the department head and/or committee must be shared in writing with the faculty member involved. The faculty member is entitled to append dissenting, supplementary, or other statements to the interpretation of the evaluation prior to the forwarding of it to higher administrative offices. Raw data should not be forwarded without the written permission of the person evaluated.
5. Faculty should have the same rights to examine their teaching evaluation file as they have for their personnel file.
6. The process of teaching evaluation should itself be reviewed at least every three years.

APPENDIX B

DATE: December 1, 1988

TO: University Council, Dr. Gary H. Oller, Secy.

FROM: Dr. Thomas T. Miles, Chairman, FRRRC

SUBJECT: Report of the Faculty Rights and Responsibilities Committee with Regard to Part-Time Faculty Resolution Grievance Procedures

Ref: A. Executive Committee recommendation of September 14, 1988 for referral to Faculty Rights and Responsibilities Committee

B. University Council approval of the motion to refer of October 6, 1988 to Faculty Rights and Responsibilities Committee

The Faculty Rights and Responsibilities Committee has taken up the issue of Part-Time Faculty Resolution Grievance Procedures for consideration and recommendation. After discussions, review of documents, and an interview of the Part-Time Faculty Representative to University Council, it is the opinion of the Committee that other equally and pertinent issues regarding Part-Time Faculty rights require definition and clarification; and that this process may determine the formulation and application of Grievance Procedures.

Selected issues and questions the Committee discussed were:

What are the rights of Part-Time Faculty?

What are the benefits of Part-Time Faculty?

What are causes for termination of Part-Time Faculty?

What roles do seniority and quality of teaching play in continuation or termination of Part-Time Faculty?

The Committee supports protection of rights, academic freedom, evaluation based on merit, and seniority of Part-Time Faculty.

It is the recommendation of the Committee that an ad hoc committee be convened to study, evaluate, and provide answers to the listed and other appropriate questions; and make recommendations to University Council with regard to Part-time Faculty Resolution Grievance Procedures.

APPENDIX C

Summer 1989

FACULTY SUMMER RESEARCH FELLOWSHIPS

The Research (Faculty Projects) Committee completed its review and evaluation of the applications for Faculty Summer Research Fellowships on November 11, 1988 and made Fellowship awards to the following faculty members:

Dr. David S. Bernstein, Music, "New Music Composition in the People's Republic of China."

Dr. Janne Dunham, Nursing, "Excellence in Nursing Leadership in Hospitals."

Dr. Richard Franklin, Political Science, "Party-Intellectual Relations in the People's Republic of China in the Post-Mao Era, 1977-1988."

Dr. Mark L. Johnson, Biology, "Cisplatin Nephrotoxicity: Studies with the MDCK and LLC-PKL cell lines."

Dr. Sandra A. Jones, Nursing, "Project D.A.S.H. (Development of Adolescent Skills for Health)."

Mr. James V. Lenavitt, Art, "Digital Image-Processing and Its Extensions to the Fine Art Print (Computer Generated Imaging)."

Dr. Yueh-Jaw Lin, Mechanical Engineering, "Design and Feasibility Study of a Walking Legged-Chair for Persons with Disability."

Dr. Judith A. Palagallo, Mathematical Sciences, "An Efficient Algorithm for the Mathematical Modeling of Data."

Dr. Peter C. Preusch, Chemistry, "Vitamin K-Dependent Proteins of Endothelial Cells and Other Extra-Heptaic Tissues."

Miss Penny Rakoff, Art, "Akron Rephotographic Survey."

Dr. Larry J. Simon, History, "Church and Society in the Crusader Kingdom of Majorca, 1229-c.1300."

Dr. James Clyde Sperling, Political Science, "NATO: The Disintegrating Alliance"

Dr. Mary C. Verstraete, Biomedical Engineering, "The Effects of Speed on the Forces and Moments at the Joints of the Lower Limb During Gait."

December 30, 1988

Page 24

The Committee received 22 applications, distributed among the Colleges as follows:

Fine & Applied Arts - 3; Nursing - 2; Arts & Sciences - 6;
and Engineering - 2.

Amount: Summer stipends of \$5,000 each plus \$500 faculty research grant each = \$71,500. The Committee made 13 awards of 22 submissions.

CALENDAR
THE UNIVERSITY OF AKRON

	<u>Actual 1988-89</u>	<u>Proposed 1989-90</u>	<u>Preliminary 1990-91</u>
FALL SEMESTER			
* Labor Day	Mon.....September 5	Mon.....September 4	Mon.....September 3
Day and Evening			
Classes Begin	Mon.....August 29	Mon.....August 28	Mon.....August 27
Veterans Day			
(Classes Held)	Fri.....November 11	Sat.....November 11 (Fri.....Nov 10 Staff Holiday)	Sun.....November 11
**Thanksgiving			
Break	Thrs-Sat..November 24-26	Thrs-Sat..November 23/25	Thrs-Sat..November 22-24
Classes Resume	Mon.....November 28	Mon.....November 27	Mon.....November 26
Final Instructional			
Day	Sat.....December 10	Sat.....December 9	Sat.....December 8
Final Examination			
Period	Mon-Sat..December 12-17	Mon-Sat..December 11-16	Mon-Sat..December 10-15
Commencement	Sun.....January 8	Sun.....January 7	Sun.....January 6
SPRING SEMESTER			
* Martin Luther King			
Day	Mon.....January 16	Mon.....January 15	Mon.....January 14
Day and Evening			
Classes Begin	Tues.....January 17	Tues.....January 16	Tues.....January 15
Spring Break	Mon-Sat..March 20-25	Mon-Sat..March 19-24	Mon-Sat..March 18-23
Founders Day	Fri.....May 5	Fri.....May 4	Fri.....May 3
***May Day	Fri.....May 5	Fri.....May 4	Fri.....May 3
Final Instructional			
Day	Sat.....May 6	Sat.....May 5	Sat.....May 4
Final Examination			
Period	Mon-Sat..May 8-13	Mon-Sat..May 7-12	Mon-Sat..May 6-11
Commencement for			
Law School	Sat.....May 20	Sat.....May 19	Sat.....May 18
Commencement	Sat.....May 27	Sat.....May 26	Sat.....May 25
SUMMER SESSION I			
First 5 and 8 Week			
Sessions Begin	Mon.....June 12	Mon.....June 11	Mon.....June 10
* Independence Day	Tues.....July 4	Wed.....July 4	Thrs.....July 4
First 5-Week			
Session Ends	Fri.....July 14	Fri.....July 13	Fri.....July 12

SUMMER SESSION II

Second 5-Week

Session Begins

8-Week Session

Ends

Second 5-Week

Session Ends

FALL SEMESTER BEGINS

Mon.....July 17

Fri.....August 4

Fri.....August 18

Mon.....August 28

Mon.....July 16

Fri.....August 3

Fri.....August 17

Mon.....August 27

Mon.....July 15

Fri.....August 2

Fri.....August 16

Mon.....August 26

* University Closed

** University closed from Wed. 11/22 at 5pm. thru Mon. 11/27 at 7am.

*** University closed from noon to 5pm.

APPENDIX E

CURRICULUM CHANGES

Pursuant to prior University Council authorization (Minutes, February 19, 1970, page 12 of the Faculty Bulletin, March 5, 1970 issue), these curricular changes have been duly adopted by the Faculty of the School of Law at its meeting of ~~May 12, 1988~~ ^{Nov. 15,} 1988, to be effective beginning the academic term as stated herein.

LS-89-02 School of LawEFFECTIVE SPRING SEMESTER 1989 AND THEREAFTERCHANGE

Description (delete 9200:692 "Graded Credit/Noncredit" statement)	<u>TRIAL ADVOCACY II.</u> 3 credits. Prerequisite: 690. <u>TO:</u> Preparation and actual trial of two civil cases and two criminal cases; jury selection; ethical and political considerations of trial advocacy.
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EFFECTIVE SUMMER SESSION I 1989 AND THEREAFTERCHANGE

Description (delete 9200:690 "Graded Credit/Noncredit" statement)	<u>TRIAL ADVOCACY I.</u> 3 credits. Prerequisite: 608. <u>TO:</u> Fundamental techniques of trial preparation, direct examination, cross examination, introduction of exhibits, objections, opening statements, and closing arguments.
-------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

The following curriculum changes, in accordance with the Curricula Change process adopted by University Council on December 12, 1974, have had final approval by the Senior Vice President and Provost, or through specific vote by University Council, all effective September 1989 (unless otherwise noted).

BA-89-2Department of Marketing

Change the MBA/International Business Concentration as follows:

FROM:	6400:681	International Business Finance
	6600:630	International Marketing Policies
	6800:505	Multinational Corporations
	Elective:	Selection to be approved by the Director of Graduate Studies ^{Programs in Business}

T0:

6800:605 International Business Environments*
Electives: 9 credits from the following courses, at least two
of which must be designated (+):
3250:671 International Trade
6200:630 International Accounting (+)
6400:681 International Business finance (+)
6500:656 Management of International
Operations (+)
6600:680 International Marketing Policies (+)
6800:685 Multinational Corporations
6800:690 Seminar in International Business
6800:697 Independent Study in International Business

*Students with sufficient international business background must elect another international course to substitute for 6800:605, and such election must be approved by the Director of Graduate Programs in Business.

BA-89-3**Department of Accounting**

Change department name from Department of Accounting T0: School of Accountancy

BA-89-4**Department of Finance**

Change Degree - Bachelor of Science in Business Administration/Finance as follows:

FROM: The Finance major must complete four required major courses with a minimum grade of "C" (2.00) in each required course.

T0: The Finance major must complete four required major courses with an average grade of "C" over the four over the four courses.

BA-89-5**Department of Management****TITLE:**

6500:407 Independent Study in Small Business Management.
T0: Small Business Management.

CT-89-2**Public Service Technology Division**

Change the Community Services Technology curriculum as follows:

FROM: 3750:100 Introduction to Psychology*.
3 Credits.
7750:270 Poverty in the U.S.* 3 Credits.
2220:100 Introduction to Criminal Justice.
3 Credits.

TO: The following is added as a required course:

2260:240 Chemical Dependency.** 3 Credits.
1160: Technical Electives. 6 Credits

* Would still be required for Social Service Emphasis (2+2) majors.

** Would not be required for Social Service Emphasis (2+2) majors.

CT-89-3**Engineering & Science Technology Division**

ADD: 2940:180 Introduction to CAD. 1 Credit. Introduction to computer drafting, hardware capabilities, drawing, dimensioning, modules, bill of materials, sections, and compute. Credit not applicable toward the AAS in Drafting Technology.

CT-89-4**Business Technology Division**

TITLE:

2440:125 Current Topics in Data Mgt-Lotus TO: Lotus 1-2-3

CT-89-5**Business Technology**

Change curriculum for the Computer Software for Business certificate program as follows:

FROM: 2440:133 Structured COBOL Programming.
2 Credits.

TO: 2440:133 Structured COBOL Programming.
2 Credits.

OR

2440:130 BASIC Programming for Business.
3 Credits.

December 30, 1988

Page 30

FROM: 2440:245 DBMS for Micros.
3 Credits.

TO: 2440:245 DBMS for Micros.
3 Credits.

OR

2440:267 4GL for Micros:dBase III+.
3 Credits.

ED-89-1

Counseling and Special Education

EFFECTIVE SPRING 1989

Change the total semester hours required for graduation in the master's program "Counseling in Elementary or Secondary Schools";

51 Semester Hours TO: 50 Semester Hours

APPENDIX F

(D) *University Press* ACADEMIC PUBLICATIONS.

There is no university press at the University. Individuals wishing to publish textbooks, workbooks, or other similar publications may do so through commercial publishers. Individuals, groups, or departments wishing to publish learned journals or other periodicals may do the same. However, when University funds, whether from a departmental budget or from an outside grant to the University are to be used to pay for such publications, dealings with any commercial printer must originate with the Purchasing Department and MUST be handled according to established University purchasing procedures.

(E) UNIVERSITY PRESS

- (1) THE PURPOSE OF THE UNIVERSITY OF AKRON PRESS IS TO SUPPORT INTELLECTUAL INQUIRY THROUGH THE PUBLICATION OF SCHOLARLY WORKS.
- (2) THE EDITOR OF THE UNIVERSITY OF AKRON PRESS SHALL BE A FULL TIME FACULTY MEMBER WHO HAS A SIGNIFICANT RECORD OF INVOLVEMENT WITH ACADEMIC PUBLICATION (PREFERABLY AS AUTHOR AND/OR EDITOR OF ACADEMIC PUBLICATIONS). THE EDITOR SHALL BE SELECTED FOR THE POSITION BY THE PRESIDENT OR THE PRESIDENT'S DESIGNEE. THE EDITOR SHALL REPORT TO THE SENIOR VICE PRESIDENT AND PROVOST.
- (3) THE EDITORIAL BOARD OF THE UNIVERSITY OF AKRON PRESS SHALL BE COMPOSED OF THE EDITOR AND SIX FACULTY MEMBERS. THE TERMS OF THE FACULTY MEMBERS SHALL BE THREE YEARS, EXCEPT THAT THE INITIAL APPOINTMENTS SHALL BE MADE FOR STAGGERED TERMS SO THAT ONE-THIRD OF THE FACULTY MEMBERS WILL ROTATE FROM THE BOARD EVERY YEAR. THE EDITORIAL BOARD SHALL BE SELECTED BY THE PRESIDENT OR THE PRESIDENT'S DESIGNEE.
- (4) THE EDITOR AND EDITORIAL BOARD SHALL ESTABLISH EDITORIAL AND PUBLISHING GUIDELINES FOR THE PRESS AND SHALL RECOMMEND TO THE PRESIDENT OR THE PRESIDENT'S DESIGNEE SUCH POLICIES AND PROCEDURES AS ARE DEEMED USEFUL FOR THE PRESS INCLUDING THE CREATION OF AN ADVISORY BOARD OF SCHOLARS FROM THE UNIVERSITY OF AKRON AND ELSEWHERE.

APPENDIX G

FACULTY ADVISORY COMMITTEE
TO THE CHANCELLOR OF THE
OHIO BOARD OF REGENTS

Minutes of the Meeting of November 15, 1988.

Chairman Miller called the meeting to order with the following members present: R. Anderson, M. Bixler, R. Boyer, J. Burgie, I. Domonokos, L. Esterly, P. Falkenstein, G. Gemmer, M. Ghodooshim, S. Givens, P. Jastram, V. Knoderer, D. Lairet, P. Macklin, T. Milburn, R. Miller, L. Milner, H. Munro, T. Redman, R. Rolwing, J. Robertson, N. Rudd, R. Stoner,

MORNING SESSION

Minutes Acceptance of the minutes of the October 19, 1988 meeting was moved and seconded, Chairman Miller adding "with commendation", saying that it was always amazing to him that so few changes need to be made. Ghodooshim then noted that it may not have been clear in the minutes that his remarks about the competition for freshmen between universities and the 2-year schools were based on the experience of the CCC metro campus over the last 10 years, and that in the California model to which he had referred the bulk of all freshmen/sophomore education (statewide) is assigned to the junior college system, which is better equipped to handle remedial education. The minutes were then approved, with the additions noted above.

Morning Items In response to a question, Miller said the first 1989 meetings are tentatively scheduled for 18 January 1989 (a Wednesday) and 7 February 1989 (Tuesday). He advised the members that there were extra copies of the summary of the Stony Brook compendium prepared by Cynthia Traylor. Boyer asked why we were not meeting with the Chancellor today; Miller responded that he was in a meeting of the Education 2000 group. Boyer suggested that in addition to the agenda simply lacking a reference to the Chancellor, it should have an explicit statement to the effect that he would not be able to meet with the committee. It was also observed that (especially when tight time pressures cause agenda and minutes to go out close to meeting dates) delivery to home addresses may be more speedy; Secretary Munro suggested that at the next revision of the master CFAC roster (from which the mailing list is derived), members could change their listed addresses to take advantage of this, if they wished.

Rudd distributed copies of other lists of possible agenda items (the Kent State compilation having gone out with the agenda) from Milner and Robinson, and her own list of suggestions, grouped on the basis of her perceptions of what might be appropriate concerns of the Chancellor's office, or of interest to him. Milner observed that N. Central/KSU lists were all the same (top 10) except for the part-time faculty issue, which was approached differently. Munro commented that the salary rubric seemed to cover a variety of concerns within the category, not merely a concern for 'more': equity issues between colleges, among individuals of different backgrounds, and esp. criteria for merit and procedures for handling merit determinations (ie, the assessment problem again). A committee member added that perhaps another aspect of this issue is a concern in some quarters about apparently inequitable variations in load distributions. Boyer said that in his judgment the entire salary cluster of issues is a local matter, and the Chancellor would not be interested in dealing with it for that reason; to some degree, this is also true of the health care categories, though we can surely learn from each other (in the morning session), and this would be useful to our home campuses and their struggles with escalating costs and premiums. Boyer added that while we are compiling our list of issues to be addressed this academic year, a broader concern should be that at the last meeting the Chancellor controlled the entire agenda. There were committee-generated issues from the morning that did not get addressed; this is not in anyone's interest, including the Chancellor's.

Givens observed that perhaps we really have to get down to Item #10 before we get to items that are the concern of the committee and Chancellor's office; curriculum, for example, is a matter for the campuses, not OBOR. Rolwing said that we (CFAC) should hear from other than the management side of some of these issues, esp. health care. Boyer said that there should be information-sharing on such matters, even though they are not appropriate for the Chancellor's consideration. On the listed topic of the Master Plan, Boyer observed that it is still not widely available on his campus; Rudd suggested that she was of the impression that the 4-yr presidents were not that happy with it. On the health-care issues, Macklin suggested that while individual campus insurance differences might preclude useful action, the long-term/STRS health care topic DID have more common characteristics that could be explored. Miller said that there seemed (at least) to be 2 different sessions implicit: one for in-service campus coverage; the other for post-service (retirement). Munro agreed with Rolwing that we need an objective, non-partisan, non-industry spokesman to advise us, as the health industry has shown recently that they have a PR point of view that may not be too trustworthy. After further discussion, Miller asked if January would be a good month for the health care topic? There was tacit committee agreement.

Visit of Duane Rodgers, VC for Administration Rodgers reported on recent OBOR actions on the Master Plan and the biennial budget. He distributed a summary of what was presented to the Board and added his own comments and an estimate of prospects for acceptance by OBM, the Governor's office, and the General Assembly. Among the points made by Rodgers were the following: 1) Imperatives -- a) The '90-91 budget recommendations of OBOR are made "to provide better education for more Ohioans"; b) Industries of tomorrow will require more sophisticated workers: "3/4 of new jobs will require post-secondary education (much of this may be 2-year, Associate degrees)"; c) "Ohio's future workforce will, and must, increasingly represent those from minority, poor, broken family backgrounds", people now unlikely to enter college or succeed there; d) "America's new industries will emerge where corporate R&D is done, especially if done close to centers of university research". 2) Current Status -- a) "Ohioans have below average levels of education" (ranked 30th with 67% of its population with at least 4 years of h.s., 40th in number of college graduates with 13.7%, compared to national average of 16.2%); b) Ohio's manufacturing workers "have less education than similar workers in other states; ... one million ... are judged to need retraining" and this need will recur several times in each worker's lifetime; c) Ohio per capita personal income is declining, from 14th rank, equal to the national average in 1970, to 25th, 5.6% below the national average in 1987; d) other indicators are (1) decline in percentage of employees in manufacturing, (2) increase in unemployment rate, (3) below national average in corporate R&D and in university sponsored research [from 1970 to 1985 US industry increased R&D spending 68%, the Great Lakes states reflected a 30% increase, but Ohio had virtually a zero increase; it was 37th rank in 1984 in Federal research grants per capita to colleges and universities, 42% below national average]. 3) Current Investment -- a) In state appropriations per student ('87-88), Ohio was 18% below national average, 41st among the states; b) In tuition per student ('87-88), Ohio was 46% above the national average, 7th highest among the states; c) In tuition per student ('85-86) Ohio was 41% above national average on public 4-year campuses, 5th highest among the states; and 74% above national average on public 2-year campuses, also 5th highest; d) In combined state appropriations and tuition per student ('87-88) Ohio was 3% below the national average, 28th among the states. 4) Major Budget Themes -- a) Strong base budgets: (1) to reduce student share of the cost of higher education, (2) to preserve stability and quality, (3) to meet costs of inflation (for example, in the dramatically rising costs of health insurance), (4) to fund 2nd round of Academic Challenge, (5) to allow for enrollment increases of 1-1.5%, (6) to fine tune subsidy formulas so as to reflect more accurately the instructional costs on various campuses; b) Enhancing access and success: (1) to reduce student share of costs from 41% (now) to 35% (by 1991), (2) to increase financial aid [60% increase in OIG in 2 years, targeted to poor and near-poor families; and new single-parent grant program for part-time students], (3) to fund targeted access programs ["the #1 new item"], specifically -- a new access/retention challenge program, a new minority graduate opportunity program, access improvement, a new early

intervention program aimed at middle school students, a new school/college transition program aimed at senior high school students, new demonstration laboratories "to bring together all concerned agencies in a community to work on problems", and a significant increase in developmental education to provide more help to ill-prepared college students; c) Fostering excellence: (1) \$80M proposed to continue the Eminent Scholar program (9 new awards), Program Excellence (22 new awards), Academic Challenge (a 3rd round), Research Challenge, Productivity Improvement Challenge (new focus on business and industry relationships with 2-year campuses), Supercomputer Center, Independent College Challenge (a 2nd round), and the new Library Access system; (2) \$3M to fund incentives for enhanced undergraduate education, based on commonalties observed in Program Excellence winners [see FIPSE report below, afternoon session]; d) Fostering research: in addition to the Selective Excellence programs cited above, this goal will be advanced through support of the Ohio Aerospace Institute, Ohio Academic Network, and the Ohio Council on Research and Economic Development; e) Serving Ohio's workers: enhancement and targeting of productivity improvement through a focus on building relationships with business and industry, support for collaborative regional and statewide projects, and support for customized credit instruction.

In additional remarks, Rodgers observed that the "first round of Academic Challenge monies are now built into the universities' budgets (they are not a part of subsidy payment)", and that "this is not a budget that will make everyone fat and happy, but is targeted to certain specific needs and initiatives." The budget is now in Office of Budget & Management (OBM), then the Governor will put together the Executive budget which goes to General Assembly. He added: "I think we have good political support, and good programs, but the state doesn't have the money to fund all this, as it stands;" much of the recent state tax increases have been 'given back' (returning to 1983 levels of state taxation), and "that was very inadequate". There is a very slow growth in the tax base. The situation is well-recognized, but it is still tough to get movement. The Governor is putting together his last operating budget, so one natural question is, what does he want to be his legacy? Candidates for governor [in 1990] may also want to weigh in. Many things point to having a tax increase on the ballot next spring; not assured it will pass, and may not be the best way, but may be only practical way to address the issue of additional taxes for education. Rodgers concluded: "What we may need to be doing is setting the scene for what the Governor may say, and how the General Assembly might react; faculty can help to begin discussion in local communities -- go out and carry your banners, and speak up!"

Miller thanked Rodgers for his report. Boyer recalled that in the recent election, candidates ran on a 'no new taxes' pledge; so placing a tax increase on the ballot may be wishful thinking. Rodgers replied that the thinking is that there is a need for reform to address obvious problems, and that the new money will help to do this, and this approach may hold some promise for a referendum. The ballot -- today -- may seem to be 'a way out' for a Speaker who may want to be Governor. Rodgers said that the ballot will be for funding K-12 plus post-secondary. Ghodooshim asked if there was any place that a compilation of the tax 'givebacks' can be seen in a comprehensive way? Rodgers responded that he had not seen this for himself, but the state taxation people have, since they have moved from it to the conclusion the present tax base was inadequate to Ohio's needs. Milner asked if some extra funds come in, but not enough, what will be dumped first? Is the reduction of student tuition percentage a high priority? Rodgers said "Yes", but added that of course this will have to be examined; fee subsidies constitute the largest category, so significant reduction would be expected to impact there to a stronger degree than on the smaller dollar-amount categories. To another question, Rodgers observed that the subsidy percentage is a composite across all institutions, with considerable variation across schools. Rodgers said that the reduction, if funded, DOES have the power of reducing some existing student fees, but a rollback would come at some 2-yr schools, not on university campuses.

Ghodooshim raised the issue of the reporting of budget data: there appears to be no mandate in Ohio institutions on how to organize their budgets; what goes into the "academic budget" can

vary, institution-by-institution. Rodgers replied that the Chancellor's office has written some guidelines, but we are not an enforcement agency, and institutions of course have discretion, though the variations are usually not of a blatant nature. On placing the increased budget on the ballot, Stoner said that it would seem a dangerous option, and that the presence of higher ed may cause a loss. Rodgers said that there are many things that higher ed can show as successful and worthy initiatives, but agreed that this may be risky -- Stoner continued that if the ballot only has K-12 the issue may have a better chance, and higher ed would still benefit. Rodgers reported that the university presidents (through IUC) have said that they would support a referendum tax issue. Boyer observed that he would have to see a rollback to believe that it could happen; Rodgers repeated that it would NOT happen at universities, just branches and community colleges (and also possibly at the tech colleges).

AFTERNOON SESSION

Visit by John Tafel, Director, Program Excellence Tafel began by recalling that while Program Excellence is his usual topic, today he will talk about a spin-off from it. OBOR was awarded a 2-year FIPSE grant; its purpose was to identify the key characteristics of high quality undergraduate Program Excellence proposals. In the review of over 390 programs, including reviewers' comments, certain characteristics kept re-appearing, and the question emerged: is it possible to come up with some indicators of quality? FIPSE had funds for the study of evaluation, Tafel said, so we went to FIPSE with the idea: we have these possible indicators of quality, can we use these to look at programs? Then we hope to have some funds for programs to improve themselves. FIPSE approved the proposal; it seeks to find and validate a set of indicators from which quality programs can be identified.

Tafel said that they put together a state committee to help look at indicators of quality. In the middle of the study, it was learned that certain things need to be in place at the first level; these are necessary but not sufficient qualities. A second level speaks to faculty involvement, excitement, student involvement, all of these being elements that departments often do not look at in describing themselves; they are intended to describe programs' academic culture and vitality. Level 1 indicators are clarity of program mission and goals, adequacy of available resources, program performance, and quality of educational experiences (program outcomes). All of these are traditional program measures. Level 2 indicators are coherence (synergism), vitality (enthusiasm; high faculty morale), diversity with community (differences respected), self-reflection (self-assessment practiced), involvement/engagement (faculty-student joint projects), high expectations (rejection of mediocrity), challenging and questioning attitude (active intellectual curiosity). The 2nd level indicators grow out of and are embedded in the 1st level, Tafel observed. Proposals and standard evaluative criteria address the 1st level; site visits may show 2nd level indicators in the comments made by site visitors. Proposals may talk about such things as faculty credentials, but they don't get at level 2. "The intangibles may be the most important things in a program." Following the work of the state group, a national panel was asked to check on these perceptions. Tafel said that since this is a new way of looking at the assessment of programs, we have gotten much national attention, esp. in state mandated programs elsewhere, and we have shared our ideas with them.

All that occurred in the past year, Tafel said, this year we are putting a booklet together, and actually field testing [at 8 sites] to determine if these things help a program look at itself. To a question about incentives for programs participating in the study, Tafel said there are only monies in the FIPSE grant for travel, honoraria, and for consultants to come to the programs to help them work through the 2nd level indicators, but there are funds in the current proposed budget, if OBM, the Governor and the legislature approve. Miller asked about the place of the administrative component among the indicators of quality, i.e., previous studies have shown that "sound policies and procedures" are the most important element; Tafel responded that

administration should be included as a quality indicator. Rolwing asked how the advisory committee was selected? Tafel said that consideration was given to geographic and size representation, as well as 2 & 4 year institutions and a cross-section of disciplines.

Tafel asked if there were comments or suggestions? Anderson brought up the issue of multiple purposes of evaluation, the different goals that can served; Miller offered a caveat that these purposes can be confounded -- a system to ascertain quality institution-wide may result in some programs being judged sub-standard, and then reduced or abolished. Macklin expressed concern about the 'mushiness' of the qualitative measures -- can't this become a game, to show [that is, fake] these qualities? Tafel wondered why, if these measures are used for self-study? In the case of monies awarded, the funds would be used for self-improvement, as opposed to an award for already-achieved excellence (as in Program Excellence). Boyer asked if Tafel would be available to return to discuss the new standards of evaluation for entries in the Program Excellence competition; Tafel said he would be happy to return if invited.

Discussion of Draft

Miller turned to the Roscoe Village draft report; he noted that an attempt was made to get some consistency among the four task group lists of recommendations, without extensive rewriting. Because some CFAC members were there and some were not, he indicated that there would not be closure at this meeting, and that there would be discussion for an hour at the December meeting. Miller suggested that members who want to contribute to the discussion, could do so in December; then perhaps over holidays more extensive re-writing can occur. Our experience of needing (and taking) enough time to address the task deliberately is not unique, Miller added, as Illinois and New York have also discovered that this is an ongoing, important issue that must be approached with thoughtfulness. Macklin said that the general time schedule seemed reasonable, but new programs will require more timely action (before final adoption of our report next spring); two items fall into a possible 'exception' category: remedial instruction (p. 16) and the demo schools (p. 17). Miller responded that it would be possible to pull out one or two or so before the whole report is finished, but they will still need support (more than just a bare recommendation). Milburn suggested a small committee to deal with the time-sensitive cases. Rudd said that re-writing for overall coherence and to eliminate redundancy among the recommendations from the four groups will require a view of the whole set of recommendations. To a question on reporting to our home campuses, Miller said that one concern he had was that a draft document that was not well-produced could jeopardize the responses on the home campuses.

Boyer called attention to the fact that under next biennium's budgeted amounts, there are a number of categories that might fit the concerns being addressed. Macklin responded that the OBOR-funded remedial programs are not traditionally supported to the level being recommended. Jastram advised that a line item for remedial work might be a political liability, and could be easily lost (in the budget review process), and then it would be more difficult to channel any monies to such activities. Givens agreed; discussion established that these programs are more expensive to run, plus there are reasons why the legislature should not get involved in program funding specifics. Boyer and Jastram recalled that some time ago the legislature refused to fund remedial education; Michael pointed out that 'priorities' that are not in the budget are not (really) priorities. Jastram observed that if the issue is retention, then we must deal with the fact that the drop-out rate for Honors students is as high as for remedial students. Studies have shown that class size is a large factor, that a small class will show retention rates greater than for large classes, and that all students benefit, but this is expensive. Nonetheless smaller classes for all students would be easier to fund, politically, than any racially-identified program. There followed considerable discussion on practices concerning remedial courses at various institutions. Jastram suggested that individual school variations cannot be ameliorated at this level, that we should be addressing system-wide aspects of the issue. Miller recalled that the legislature said about 15 years ago, that remedial education could not be funded, because it was the state paying

twice for education. Rudd suggested that what this discussion was revealing was that there is some uncertainty and disagreement about the facts, and we need fully to understand the problems before we decide on how to approach our recommendation on this issue.

Jastram observed that the report really sets an agenda, but what we might need to do first is to hone in on what the retention rates and problems really are on the various campuses, that is, sit down with Black students, faculty, and administrators, and "find out directly from them what are the problems, as they perceive them." What is "in the paper we have before us [the draft report] may not be as relevant as what we learn from the 'field', and this group is in a uniquely well-situated position to serve this function [individual campus data gathering] in a non-threatening way." And we should do the same thing with high school students as well, Jastram added. After discussion, he reiterated that it was his judgment that we should find out what the problems really are before issuing recommendations, because the report may be interpreted as a prematurely arrived-at agenda; we need to take the time to learn what is working in Ohio, and what isn't, and we need to find that out first. Miller responded that there is enough data at this point: we have had a 2-day conference, and there is national data. Boyer asked Miller what he had in mind as the destination of the report: distribution to faculty? Munro suggested that if this is really a task that will span some time (2-3 years have been mentioned by Miller), then one approach would be for the CFAC report to offer recommendations not for implementation (yet) but for study by local faculties, and to gather from the various campuses data bearing on the questions Jastram has raised and then return after a period for further refinement of what would eventually be recommendations to the Chancellor. Jastram observed that it might not be a healthy thing to distribute any such [complete] document on campus at this point; such 'probes' may lead to trouble. Rather, individuals could extract issues as they see fit and gather data on them, talk to colleagues about them. The reason to be very careful, Jastram explained, is that some of the proposals have been around before and already have their built-in tensions, eg. advising. This is the kind of issue that one has to be extremely sensitive about in talking to colleagues about; it is an issue on which battles have already been fought on many of campuses.

In the ensuing discussion, one member observed that there are already some affirmative action programs that have engendered the perception that minorities are getting money for needs that whites also have, but are not eligible for; another member responded that this just illustrates that we have to change some faculty attitudes. Jastram observed that whatever actions we might recommend, the Chancellor, the Board, the Governor, and ultimately the legislature also must be persuaded that these are wise actions to pursue.

Respectfully submitted,



Hugh P. Munro, Secretary

APPENDIX H

Suggested Revisions by OLA noted in boldface print.
OLA comments noted in brackets and underscored.

Proposal for a Faculty Ombudsman

1. The University of Akron shall have a Faculty Ombudsman* with principal [Is the word "principal" necessary, or does it raise unintended implications?] concern for faculty affairs as provided herein. ~~The office of Ombudsman shall be one of high prestige/ accountable directly to the Board of Trustees.~~ The office shall be occupied by a tenured professor, respected for impartiality and independence, for a set term of three years, subject to the provisions for termination for cause, financial exigency, and other such policies adopted and from time to time amended by The Board of Trustees and affecting the employment status of tenured faculty. It shall be adequately staffed and funded in a manner consistent with its function, and the Ombudsman shall be assured of at least the average salary increments awarded to the colleagues of the department or discipline from which the Ombudsman originates, subject only to approval of The Board of Trustees.
2. The Functions of the Ombudsman shall be:
 - a. to collect and provide information about University policies, practices, and procedures, and to ~~clarify~~ **obtain clarification** of the University's modus operandi; to honor all reasonable requests for information pertinent to the functions and purposes of the office, and to seek actively for answers to all such inquiries, providing them to the inquiring parties and, where it seems desirable, to the University community at large; and, not to represent or create the impression that the Ombudsman is the official University spokesperson in such matters;
 - b. to ~~advise~~ assist faculty ~~and others~~ of whom to consult and of what procedures to follow in order to pursue whatever business or complaint they may have;
 - c. to hear, investigate, and attempt to resolve justly and equitably those complaints and grievances that may arise against the University or against any of its constituent parts or members; [No provision is made with respect to procedural rights for a "hearing", investigation, etc.]
 - d. without superseding any existing grievance procedures or channels of appeal, **or supervisor/subordinate relationships**, to mediate disputes and assist in protecting the proper rights and interests of those who remain dissatisfied with

*In deference to its etymology, the word ombudsman is used in its traditional form, to refer to a man or to a woman doing the job.

the results of pursuing existing procedures and channels, and to propose to the pertinent parties remedies for arbitrary or capricious actions or for lack of action or for unreasonable or untimely delays in action; ~~and in negotiating the settlement of grievances, to carry independent recommendations to the Board of Trustees in those cases in which the President of the University disagrees~~

- e. to report independent findings and recommendations to the appropriate authorities within the University by the most expeditious means possible, and to the University community to the extent that this seems objectively to be most beneficial, not as official or media spokesperson for the University, but in the capacity of Ombudsman;
 - f. to ~~advise~~ inform the appropriate administrative officers, legislative bodies, and faculties within the University community of what procedures and policies seem to be defective or inadequate to the protection of substantive rights, and to recommend remedies; to propose interim relief pending the use or adoption of procedures necessary to assure due process; and to notify appropriate officers and faculty when there is a failure to implement the due process already established;
 - g. to recommend TO THE APPROPRIATE AUTHORITIES adjustments in cases of complaint AND FINDINGS of inequitable faculty salaries. ~~and in cases in which the aggrieved faculty member and the respective departmental authority, or the dean of the college involved, or the provost, or the president of the university agree, to arbitrate or arrange any arbitration for a settlement of the dispute~~
3. Access to such ~~official files~~ public records and information as the Ombudsman believes required to fulfill the functions of the job shall be provided by all members of the University community, subject to the exceptions from such disclosure provided by Ohio statutory law or Ohio common law rights of privacy [R.C. 149.43; Chapter 1347 of Ohio Revised Code]. Any requests from the Ombudsman for public information must receive the highest priority from every member of the community. The Ombudsman shall also be given efficient means for communicating with the University community whenever necessary.
 4. While the Ombudsman is authorized to function in the widest possible context and with minimum constraints, the investigations and recommendations made by the Ombudsman are concerned with faculty and academic matters, such as:
 - a. The Ombudsman shall make recommendations to the president, faculty and administrative offices but will not exercise powers which are beyond the legal authority of the university and which are specifically vested in particular individuals

or offices by law, or rules and regulations of The Board of Trustees.

- b. Should those recommendations ~~be ignored or modified/~~ not receive due consideration and/or implementation, the Ombudsman has the right and obligation, ~~within~~ upon two weeks written notice, to ~~take~~ submit the case, in writing, to The Board of Trustees for action at their next meeting.
- c. The Ombudsman shall not make University policy or replace established legislative or judicial procedures, although investigating any and all of these, raising questions about them, and making recommendations for their improvement and efficient functioning are to be considered proper activities of the office.
- d. Information from individual personal and personnel records shall be secured only ~~with written permission from the subject of the record to release the information/~~ pursuant to Ohio law governing such personnel records, but access to all other records and files bearing on a complaint is guaranteed to the Ombudsman, to the extent authorized pursuant to Ohio's public records law, but subject to the exceptions provided therein.
- e. The Ombudsman shall publish timely reports to the faculty and administrative outlining the ongoing activities of the office and especially focusing on those recommendations which have not yet met with compliance.
- f. However, while the Ombudsman has wide latitude in promulgating findings and recommendations, the requests of ~~complainants~~ COMPLAINANTS that their anonymity be preserved must be respected, to the extent authorized by law.

5. Operations of the Office:

[Section 5.a. is subject to the provisions of Chapter 1347 and Section 149.43 of the Ohio Revised Code. Anonymity and confidentiality may not attach to public records or personnel information systems as defined in Ohio law, except to the extent that specific exclusions exist to authorize non-disclosure. The records maintained by the Ombudsman would constitute public records at a minimum, and would likely qualify as a personnel information system as well. This section is also subject to the records management requirements of "state records," R.C. 149.32 et seq.]

- a. The office shall keep suitable records of complaints, findings and recommendations. In order to protect the anonymity of the complaints and the confidentiality of the ~~complainant~~ COMPLAINANT, these shall be accessible only to members of the staff of the office of the Ombudsman which shall under no circumstances employ student personnel. At the end of a particular Ombudsman's term, that Ombudsman,

after consulting with the University archivist, shall decide which records shall remain for the successor, which shall be committed to the University Archives, and which shall be destroyed. In addition, that Ombudsman shall describe the conditions under which persons shall have access to the various records of that office stored in the Archives;

- b. Although The Ombudsman may, after careful consideration, make exceptions with respect to matters of major importance, normal function of the investigations will be on The bases of first come, first served;
- c. The Ombudsman shall make an annual report to the University community and also issue special reports as are deemed useful from time to time;
- d. The Office of Faculty Ombudsman may be evaluated and reviewed by University Council at any time after one full year of operation;

[The following provision conflicts with the statutory discretion vested in the Board of Trustees in R.C. 3359.03 (i.e., Only the Board of Trustees "...shall employ, fix the compensation of, and remove,...such...professors...as may be deemed necessary.)]

- e. The Office of Faculty Ombudsman may be abolished at any time by the majority vote of the University faculty upon recommendation of University Council.
6. A selection committee shall be formed early in the Fall semester of the year preceding the start of the Ombudsman's term of office. The committee shall consist of one member elected from each college (Arts & Sciences, Business, Community & Technical, Education, Engineering, Fine & Applied Arts, Law, Nursing, and Wayne General & Technical) and the Library. The committee shall solicit nominations from the entire faculty and shall select at least two but not more than three candidates (acceptable to University Council) to stand for election by a written ballot of the faculty. The election is to be completed by the end of classes in the Spring semester. The candidate receiving a simple majority of the ballots cast shall be declared elected.

