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## Faculty Senate Chronicle May 31, 1989

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**MINUTES OF UNIVERSITY COUNCIL MEETING  
May 4, 1989**

The regular meeting of the University Council was called to order by the Chairman, Senior Vice President and Provost, Dr. Frank Marini, at 3:07 p.m. on Thursday, May 4, 1989 in Leigh Hall 307.

Fifty-three of the 82 members of Council were present. Those absent with notice were Acting Dean John Watt, Dean E. Jane Martin, Dean Tyrone Turning, Dr. Walter Arms, Mr. J. Dean Carro, Dr. James Divoky, Dr. Roger Durbin, Mr. Lyle Dye, Mr. Elton Glaser, Dr. Gloria J. Harman, Dr. A. Isayev, Mr. Maryhelen Kreidler, Dr. Carl McMillin, Dr. Paul Merrix, Dr. Dorothy Moses, Mr. Arthur R. Pollock, Dr. Mary C. Rainey, and Dr. F. Bruce Simmons. Absent without notice were Vice President for Administrative Services Roger Ryan, Dr. Eric Birdsall, Dr. F. Harris, Dr. David Timmerman, Dr. Judy Wilkinson, Associated Student Government Representatives Tony Brown, Andrew Milligan and Michelle Walulik, Graduate Student Government Representative Cindy Porter, Non-Traditional Student Government Representative Leigh Cromleigh, and Student Bar Association Representative Parker Edmiston.

Item No. 1 - Remarks of the President. The Chairman introduced President Muse, whose remarks were as follows:

Since this is the last meeting of the University Council for this academic year, I wanted to express my thanks to each of you for your service in this difficult role. It may not be the most exciting way to spend a nice spring afternoon, but I know that the work that this body does is very important to our institution and I want each of you to know that we appreciate your contributions to the University in this capacity.

Tonight we'll have an opportunity to recognize a number of members of our faculty, administration, and staff for their performance this year at a reception at the President's residence. It starts at five o'clock, and I know some of you are planning to attend. Dr. Marini has assured me that this body's deliberations will be completed by five o'clock so that you can arrive for that reception, even though you may be a few minutes late.

I also want to encourage you to participate in the Founder's Day ceremonies tomorrow. We have on that occasion an opportunity to recognize our retirees; we'll be announcing the Outstanding Teacher and Outstanding Researcher for the year at the luncheon; and then at two o'clock we'll be officially unveiling the statue of John R. Buchtel, dedicating the fountain, and Buchtel Common. It should be a very nice occasion. Hopefully, the weather will be as nice tomorrow as it is today; if it is, it should be a grand affair.

I wanted to bring you up to date on another item we talked about that is of particular interest to Linda Weiner. She has been very interested in this topic, but certainly it's a topic of concern to

all of us. At the last meeting I informed you about the research that the University is doing concerning alternatives for a more favorable way to record the service of part-time faculty to the State Teachers Retirement System, but in a way that does not disadvantage full-time faculty or cause additional income tax liability to them. In my attempt to keep you abreast of the various developments, at the last meeting I indicated that Section 89 of the Internal Revenue Code and its implementing regulations were the source of continuing difficulty in our effort to make a decision about this particular topic. I must report to you that this matter is still under consideration. It's somewhat frustrating because I'd like to provide you with a more favorable report but the continuing uncertainties in this area of Federal legislation, and particularly two recent events, have complicated this task.

First, on April 13 the Chairman of the House Ways and Means Committee, Dan Rostenkowski, introduced a bill - House Resolution 1864 - that would dramatically revamp Section 89. In fact the bill, if adopted, would completely scrap the existing version of this particular piece of legislation. In introducing the bill, he indicated that, rather than further modifying the already complicated structure of Section 89, this bill would completely replace the existing Section 89.

One of the more significant changes in the proposed amendment to this legislation is the definition of part-time employees and the simplification of the testing requirements for determining the law's applicability to various situations. It is encouraging to note that if this legislation were enacted as it is proposed, it would enable us to make the favorable change in reporting retirement benefits for part-time faculty without the potential of causing other employees to have to pay additional tax.

The second event occurred only a few days ago, in fact on Monday, May 1, when Treasury Secretary Nicholas Brady announced that the Bush administration was delaying until October 1, from the original intended date of July 1, the effective date of Section 89 and the implementing regulations, which were only recently issued by the Treasury Department in March. It was reported that the delay was designed to give the Congress additional time to simplify the Section requirements. It is still my intent, if possible, to follow the University Council recommendation and to implement the proposed change in the reporting of part-time faculty. However, I don't believe we should take any action which has a potential for adverse impact to our full-time employees. I'm therefore prevented from acting upon, or otherwise implementing, the University Council recommendation until such time as we can reasonably identify the definitive impact of such action on our full-time employees.

We will continue to monitor this situation in the hope that Congressional action will afford us the opportunity to make the favorable change in reporting retirement benefits for part-time faculty without causing the increased tax burden on our full-time

employees. I know that's not the answer you want, but I think the proposed legislation looks promising.

Mrs. Linda Weiner asked whether, assuming that the changes in Section 89 did go through, it would be possible then for the STRS proposal which Council had suggested to be enacted as of this July. The President responded that it would depend on when Congress acted on the bill that Rostenkowski had introduced. He suspected that it might be difficult to do it by July 1, but after that time the University certainly could enact the proposed changes. As soon as there was a clear indication that it could be implemented without bringing about the potential for increased tax liability for full-time employees, the University would do it. In response to Dr. Dale Jackson's question of whether the new proposed rate for reporting could be made retroactive to July 1, if the new legislation did not go through until some time after October, the President responded affirmatively. Dr. Faith Helmick noted that the University only reported service credit to STRS for most continuing employees once a year, at the end of the fiscal year. So if this were decided anytime after July 1, but prior to June 30, 1990, it could still be implemented for the coming fiscal year. There were a few people who would be exceptions to that, but most would not.

Since there were no other questions, President Muse thanked the Council and left the meeting.

Item No. 2 - Consideration of the Minutes of the University Council Meeting of April 6, 1988, as printed in The University of Akron Chronicle on April 27, 1988. Dr. Gary Oller, Secretary, stated that several calls had been received pointing out corrections to the Curriculum Changes as listed in the March 31 supplement to the Chronicle. A supplement to the April 27 Chronicle was being prepared, and it would include a corrections page for those errors.

The only other correction was that Dr. Isayev had asked that it be shown on the record that he had been absent with notice from University Council meetings this semester due to his class schedule. He had previously notified the secretary in the Provost's office that he would be unable to attend the meetings, but he had been listed as absent without notice each month.

Before he turned the floor back to the Chairman, Dr. Oller took the opportunity to thank Mrs. Linda McPherson and Ms. Marybeth Mersky from the Provost's office for all their hard work and assistance in preparing the minutes of Council for publication in the Chronicle this year. Their concern that these records be as detailed and accurate as possible, and their cheerful spirits in the face of such obstacles as computers going down, tape machines and microphones malfunctioning, as well as eloquent perorations from various Council members, had made his job much easier and certainly more pleasant. He thought that Council owed them a vote of thanks, and the members registered their gratitude with applause.

Since there were no additional corrections to the minutes, they were approved as corrected.

Item No. 3 - Remarks of the Presiding Officer. The Chairman commented that there were a few things which he wanted to say. First, at the last meeting, he had indicated that he would endeavor to look into and discuss with the police and the Director of the ULLR the matter of safety in the Library. He had not yet discussed this matter to his complete satisfaction and so had nothing firm to report to Council today. Dr. Hodowanec, Director of the ULLR, had indicated that he wanted an opportunity to address the matter. If someone wanted to take the issue from the table where it had been placed at the last Council meeting, Dr. Hodowanec would be prepared to speak to it, but he (the Chairman) would not. Given the length of the agenda, it had been his assumption that the matter would not be taken from the table today. At some future date, when and if it was before this body, he might be able to speak to the matter with relatively complete information, and Dr. Hodowanec would as well.

The second item which he wished to discuss was the action taken by Council dealing with the Distinguished Professor recommendation. As he was about to take it to the Board of Trustees, he had discovered some ambiguity and confusion in that action. Seeking to get some faculty consultation on an interpretation that might apply to the Council's action, he consulted with President Pro Tem John Bee. Although they concurred in their opinion as to what Council's intent had been, he indicated to the Board that he would defer asking for action from them until the June meeting in order to discuss the matter with Council at this meeting.

The confusion arose from the statement in the adopted action which indicated that the committee of Distinguished Professors which would consider the Distinguished Professor nominations would consist of a member elected from each college. It also stated that only Distinguished Professors might serve. However, until such time that each college had a Distinguished Professor, it would be difficult to meet both these requirements. He thought that he knew what Council would presumably do, but he was not clear about its intent. If that could be clarified, he would take it to the Board at the June meeting. On the other hand, if it turned out to be a complicated matter to clarify, perhaps he would not take it to the Board until the following academic year, when it could be debated at greater length in Council. Could any Council member state what the intent had been?

In the discussion which followed, it was discovered that the confusion was a result of a typographical error in the section of the proposal dealing with the University Distinguished Professor Recommendation Committee. It should have read "only those holding the rank of professor or the title of Distinguished Professor are eligible." This was the intent of Council when the action was approved. (For the final version as corrected, see Appendix A.)

The Chairman then reported to Council that he had received a report from the General Studies Advisory Committee. In his opinion, the report would have to be an item of business for next year's University Council. The report was too complex to be briefly dealt with today. Dr. Roger Creel, the Chairman of the General Studies Advisory Committee, was in

Council and could respond to any questions.

Dr. William Fleming asked whether Council members would be provided with copies of the report so that they could examine it at leisure for preparation for discussion in Council.

The Chairman responded that the first thing which needed to be determined was what he was going to do with the report, since it was a report to him. It was clear that nothing of this nature could be implemented without going through Council. He had to decide whether to send the report to APCC or discuss with the Executive Committee the possibility of sending it directly to Council. He also could send it back to the General Studies Advisory Committee. It was a complex change and there were many complicated issues involved. There were questions of cost - can we do it? There were questions of do we want to do it? It was still premature for him to say what he would do with the report, but it was clear that it could not take effect without going through Council. Council members would have to see the report as well as his own recommendations, etc. All of this would have to be business for the Council early next fall - hopefully at its earliest convenience, since this issue had been discussed since before he had arrived on this campus about 20 years ago. It certainly felt like 20 years, but this was not a question which he wanted to delve further into since in The Buchtelite today he had read that the least necessary position in the University was that of Provost, and he was not going to push his luck.

As a last item of business under his remarks, the Chairman noted that he had received a memorandum from Dr. Bruce Holland entitled "The Year's Work in University Council." Dr. Holland had asked that the message therein be conveyed to the members of Council. It read as follows:

If I may, I want to express my appreciation to the members of University Council for the work they have done in recent semesters. The Chronicle minutes and appendices evidence careful deliberations on such important issues as faculty ombudsman, policy on teaching evaluations, representation on University Council, amendments to the Faculty Manual (including revisions of guidelines on tenure, promotion, retention). The Secretary of Council deserves special thanks for recording the discussions in clear, readable prose. I hope you vote yourselves some well-earned applause.

Item No. 4 - Special Announcements. There were none.

Item No. 5 - Reports of Standing Committees.

A. Executive Committee - Dr. Oller, Secretary, reported that the Committee had met on April 25. (Dr. Elaine Nichols was absent with notice.) As its first item of business, the Committee had dealt with a question from the Library's Revised Election Procedures Committee regarding the elector status of the Director of ULLR for elections of Library faculty with academic rank to University Council. It was decided that the Director was of decanal rank and therefore, in accordance with Section 3359-10-04 (B) of the Council Bylaws, he was

excluded from voting or serving as a candidate. The Committee also decided that a recommendation be made to Council that this interpretation be added as a footnote to the appropriate section of the Bylaws for future reference and that the Reference Committee be instructed to take care of this.

The Committee then discussed the issue of unfinished business for this year, and concern was expressed that some matters not die if Council could not complete them at the May meeting. To deal with this, the Committee decided to present the following motion to Council: "It moves that the rules be suspended so that any business - either old or new - listed on the agenda of the May 4 meeting, which is not completed, be carried over as unfinished business for Council at its first meeting in the fall."

The Committee then set the agenda for today's Council meeting and added one item of New Business, an amendment to the Faculty Manual Section 3359-20-02 (9). Finally the Committee received an interim report from Mrs. Linda Weiner, the Chair of Council's Ad Hoc Committee on the Rights of Part-Time Faculty, and decided that it could be made part of the Executive Committee's report for inclusion in the minutes of Council (see Appendix B).

Dr. Oller then moved that the recommendation which the Committee had made in regard to the elector status of the Director of ULLR be added as a footnote to the appropriate Bylaws section for future reference, and that the Reference Committee be instructed to deal with this. The motion was seconded, and Council then voted its approval.

Dr. Oller then moved the second motion recommended by the Committee which was to suspend the rules so that any business, either new or old, listed on the agenda of the May 4, 1989 meeting which was not completed be carried over as Unfinished Business for Council at its first meeting in the fall, and this was seconded.

The Chairman explained that the main advantage of this motion by the Executive Committee was to allow the first meeting of next academic year's Council to take up the business where this Council left it. In general, this was a violation of Robert's Rules of Order, which said that in meetings in sessions such as we had, such matters would die with the close of the session - with the adjournment of the meeting that closes the session. Council's Bylaws adopted Robert's Rules as the procedural document guiding our parliamentary procedures. Robert's Rules indicated that, when such a document was adopted by the body as its procedural rules, it would take a two-thirds vote of those present to set those rules aside. That was that Council was about to do in this instance.

After a bit of confusion and discussion, a vote was taken on the motion and it passed 32 to 13.

B. Academic Planning and Priorities Committee - The Chairman reported that the Committee continued to meet, reviewing the plans and updates for the colleges. It was originally intended that the Committee



give feedback to the college deans about questions and clarification about the plans, and in some cases this was done. He now hoped that early next academic year, before the deans were asked to submit their updates of their college plans, this Committee could speak pretty clearly to the problems it has been having with the current plans. This would probably work as well as the original intention.

C. Academic Policies, Curriculum and Calendar Committee - Associate Provost Constance Cooper, the Chair, reported that the Committee met on April 18. The Policy and Calendar Subcommittee had reviewed three agenda items at its meeting in April. They were the current curriculum proposal procedures, the raising of entry requirements by colleges without approval by Council, and transfer credits which might be counted as part of a minor. The Subcommittee reported to APCC that while the existing curriculum review procedures were admittedly time-consuming, the Subcommittee believed them to be necessary for Council to exercise its responsibilities over the academic program. The Subcommittee had the following specific proposals to offer: (a) for complex, multiple curricular changes, the Subcommittee recommended that a cover sheet be provided to give an overview of the proposed changes to guide those who review the proposal(s), (b) to provide a little more time to those who must review proposals, the Subcommittee recommended that all curricular proposals be approved by their respective colleges and be ready for duplicating and distribution by December 15. These recommendations, however, were not acceptable to the full Committee, and it voted to table review of these curriculum approval procedures until the first APCC meeting in Fall 1989. APCC members whose terms of service did not end as of May, 1989 were to survey their colleagues for recommendations and suggestions for improving the curriculum approval in the interim.

The Subcommittee had been asked to review the impact of upper colleges raising their requirements for entry beyond the 2.0 required to remain a student in good standing at the University. It reported that the members had no opinion on the merits of such policies; however, it proposed that any college or department which wished to raise its entry or exit requirements beyond 2.0 must secure the approval of University Council before implementing such policies. After lengthy discussion, the Chair was directed to consult with the Provost for verification of APCC and University Council authority regarding (1) accrediting units requirements regarding G.P.A.'s for entrance to and exit from specific programs; and (2) University Council authority regarding department and/or college changes in required G.P.A.'s for program admission and degree requirements. The question of transfer credits was tabled.

Finally, the APCC voted to table Curriculum Proposal CT-89-25, which was a proposal regarding the Commercial Color Applications course. That proposal was to be tabled until September, 1989 to give Dean James Long of the Community and Technical College and Dean Wallace Williams of Fine and Applied Arts an opportunity to try and resolve the objections from the College of Fine and Applied Arts.

D. Athletics Committee - No report.

E. Campus Facilities Planning Committee - No report.

F. Faculty Rights and Responsibilities Committee - Dr. Tom Miles, the Chairman, stated that the Committee had no report.

G. Faculty Well-Being Committee - Mr. Mark Soppeland, the Chairman, reported that the Committee met on April 28. It first decided that the election of a new chairperson would be postponed until September, 1989 in order to allow new members (who would comprise one-third of the committee) to have a voice in the decision. A report from the new Chair to Council would be made at the October meeting of Council.

The Committee reviewed the activities of the AIDS Education Subcommittee during this academic year. It was informed that AIDS information materials had been distributed to the students, faculty, and staff. In September, University Residence Halls sponsored "Safe Sex Week," which would be repeated next year. The AIDS memorial quilt was displayed in the Gardner Student Center, April 5-6, 1989.

The Committee reviewed the continuing study of faculty and staff health benefits by the University Health Care Benefits Task Force. At this time, study continues on a variety of options for plans to be implemented in 1990. No final decisions on the distribution of funds had been made. The elimination of University-paid family coverage had been studied as an area for potential savings, but it would most likely continue next year. Increases in co-pay for outpatient lab work and X-rays were very possible, with faculty and staff most likely assuming twenty percent of these costs. Deductibles might rise, depending upon the program and options, to possibly as high as \$1,000. Catastrophic health care benefits would continue as the core of the program. It was very important for the faculty and staff to realize that medical costs were rising rapidly. The University would not assume the entire burden of these increasing expenditures. The faculty and staff had to prepare to accept personal financial responsibility for a greater share of their medical expenses.

Finally, the Committee heard concern expressed over reported public relations difficulties arising from official University guests, volunteers, and visiting speakers being confronted with parking meters.

H. Library and Learning Resources Committee - Dr. Robert Kent, the Chairman, reported that the Committee met on April 11.

The first order of business was one of the ULLR Director's periodic reports to the Committee. In this instance, Dr. John Hirschbuhl Director of the Center for Computer Based Education, a branch of the ULLR, reported to the Committee. Dr. Hodowanec was also present.

Dr. Hirschbuhl reported on a number of items, including staff, capacity, and budget. He noted that the capacity of the Center to provide the level of instructional services (independent learning and computerized exercises and exams) needed by faculty and students is extremely stressed. He attributed this primarily to the fact that

the Center's staff had been reduced by two FTE since 1979, that the capacity of the Center in terms of the number of computer terminals is the same today as in 1979, and that the budget for the Center had not increased in the six years since 1983. He also noted that much of the Center's computer equipment was old, and the newest equipment was now nearing the end of its lifespan. He concluded by noting that if the Center for Computer Based Education was to adequately fulfill the instructional role it has on campus in the coming years, additional staff, equipment, and funding will be necessary.

The Committee also reviewed statistics based on data from the Ohio State Board of Regents and compiled by UA faculty librarians. The most recent year for which these data are currently available is for 1986-1987. The data compared all 12 of the state's public universities on a wide range of measures related to budget, staffing, and collection size. The Committee was concerned by the implications of some of the measures noted. The University of Akron library ranked 6th in the number of periodical titles available, 8th in the total number of professional staff, 9th in student assistant hours per student, 9th in library materials expended per student, 10th in operating expense per student, and 11th in the number of full-time library staff per student. All per student rankings noted have been standardized to "full-time equivalent" student enrollment.

I. Reference Committee - No report.

J. Research (Faculty Projects) Committee - No report.

K. Student Affairs Committee - Associate Provost Robert Dubick reported that the Committee would be meeting on May 5 and would be considering the following:

1. Review the changes made in the various scholarship programs; including the increase in the BS/MD Scholarship to \$1,000 per year; the increase in the National Merit Scholarship to full tuition, fees, room and board; the \$100 increases in the Presidential and Honors Programs; the revised academic criteria required for general University Scholarships; and our relationship with the Scholarship-In-Escrow Program of the Cleveland Public Schools.
2. Review the final draft of the 1989-90 scholarship guidelines.
3. Review the revised policy on Satisfactory Academic Progress for Financial Aid Recipients.
4. There will be a general review of financial aid processing issues, including the implementation of the new Auditor System.

The Extracurricular Activities Sub-Committee (EASC) held 15 meetings, including two rather lengthy evening meetings that lasted more than four hours. The following business was conducted:

1. 13 new student organizations have been recommended for approval by the Associate Provost and Dean of Student Services.

2. 120 Extracurricular Activities Fund Grants for 1989-90 have been reviewed and will be recommended to the Associate Provost and Dean of Student Services by mid-May.
3. 25 Extracurricular Activities Fund Contingency Grants were recommended to the Associate Provost and Dean of Student Services.

Item No. 6 - Report of the Akron Representative of the Faculty Advisory Committee to the Chancellor, Ohio Board of Regents. No report.

Item No. 7 - Unfinished Business and General Orders. The Chairman stated that when Council last adjourned, it had before it the main motion to amend the Faculty Manual, Section 3359-20-02 Organization of the University, (5) (vi). Professor Fleming had offered an amendment to change "These evaluations shall include the question, 'Shall the department head be retained?'" That amendment, which had been altered a bit in discussion by Council, now read: "The dean shall conduct a secret ballot of all members of each department under his/her jurisdiction at least once in every four years, oftener as circumstances may suggest, and these ballots shall require a majority vote of the Department Faculty to retain a department head in that office." He wanted to read this to Council because the motion had been accurately reported in the minutes of the Chronicle but not in Appendix D or in the agenda for today's meeting. At the last meeting Dr. Jackson had moved postponement of this because there was so much confusion regarding the abstention vote.

Dr. William Fleming rose to present a substitute for the amendment which was under consideration. This was circulated to Council members and read as follows: "Each dean, in consultation with elected members of University Council from that college, shall review the performance of approximately one-fourth of the department heads in his or her college during each academic year. The review shall consist of an examination of the head's curriculum vita and teaching evaluations; individual interviews with all members of the department; anonymous written evaluations in a form designed and/or accepted for such use by the faculty of the college; and shall solicit from all department faculty a separate vote by secret ballot containing the question, 'Shall the Department Head, (FULL NAME), be retained?' and requiring only a check or X for "Yes," "No," "Abstain." If the head fails to receive more "Yes" votes than "No" votes, the dean shall begin established college or division procedures for selecting a new head. In the event of a tie, the dean shall cast the deciding vote."

Dr. Fleming noted that this new proposal was an attempt to clarify the language of what Council had been dealing with because the original version was so hacked up. It made no substantive change in the original motion. The substitute was seconded by Dr. Jackson. Council then voted its approval of the substitute motion.

Dr. Don R. Gerlach was concerned that the opening lines of the substitute motion varied considerably from the present language. The present language said, "Each college dean, in consultation with the elected members of University Council from that college, shall initially

synchronize the review of the department head." The language of the substitute said that each dean, in consultation with those elected members, shall do the reviewing. He thought that this was a little bit far afield. It was the dean who should be doing the reviewing. The consultation with Council members had to do with an initial synchronization when the original was passed and was designed to assure that the deans of the respective colleges proceeded to set up a schedule. Dr. Gerlach moved to amend the first two lines of the substitute to read: "Each dean, in consultation with elected members of University Council from his/her college, shall initially synchronize the review of the department head. The dean shall review..." This was seconded.

Dean Claibourne Griffin said that he did not think that inserting this language about initially synchronizing the review of the department head was as useful as it was when this legislation was originally passed. It now seemed remarkably redundant and confusing. He would argue for removing any mention of it. He thought that he also might like to argue for involving the elected members of Council in reviews of department heads because it would be singularly educational. It might be far more onerous than they could possibly imagine.

Dr. David Buchthal thought that the intent should be that each department head should be reviewed just once every four years.

Mr. David Jamison was concerned about how the proposed substitute motion amending 3359-20-02 (5)(vi) related to a statement two paragraphs before which provided for an annual review of the department head. Was this one to replace that as well? It seemed to him that there was a great deal of confusion and that this proposal could benefit from a good deal of committee work. They could go back and revise it and give some clarification as to how it should read and how it related to other parts of the Manual, particularly paragraph 4, which was two paragraphs above it. So after Council had dealt with Dr. Gerlach's motion, he wanted to move to refer the matter back to the Faculty Rights and Responsibilities Committee for further study.

Dr. Gerlach, in the interest of facilitating things, withdrew his proposed amendment, and Council gave its unanimous consent to this. Mr. Jamison then moved that Council refer this matter back to the Faculty Rights and Responsibilities Committee for consideration, particularly of its language and of its interaction with other parts of the Faculty Manual. This was seconded by Dr. Gerlach.

Dr. Fleming asked whether this automatically meant that this item would be continued in the fall; and the Chairman answered that, given the action taken earlier, it would. The Chairman also suggested that when the Committee looked at this, in its successive versions, it should consider removing "his/her" where "the" would do just as well. That is, instead of saying "each dean of his/her college," one could just as easily say "each dean of the college." He then called for a vote, and Council approved the motion to refer. (For the full text of the department head review proposal as it now stands, see Appendix C.)

The Chairman then moved on to the Midterm Grade Reporting System. At the February 2 Council meeting, this item had been postponed until the next meeting. Council did not get to this at either the March 2 or April 6 meetings. At the February 2 meeting, Dr. Mary Rainey had asked to hear something about retention rates and costs. Council had agreed that perhaps Dean Ruebel or Associate Provost Dubick could address this concern at some subsequent meeting. The floor was now open to continue discussion on this matter.

Dean Ruebel said that last fall there were 189 sections of 100-level courses. At the completion of the term, 16 percent of the students enrolled received a D or F. This would not give a figure for what the grades were at midterm, but did present an approximate figure of what we were talking about. It meant about 750 students received a D or F in 100-level courses.

Dr. Oller asked if Dean Ruebel knew how many students had withdrawn from those courses. Dean Ruebel replied that he did not, but, given the liberal withdrawal policy, he would assume probably more than 90 percent after midterm. Dr. Oller thought that perhaps Dean Ruebel misunderstood what he was asking. His point was that if those students who withdrew because they were flunking had been forced to complete the semester the percentage of D's and F's would have been higher than the 16 percent.

Mr. James Nolte asked Dean Ruebel whether the data he presented included 100-level courses in the Community and Technical College, and the Dean replied that it did.

Dr. Gerlach wondered about the proposal referring only to 100-level courses. In the History Department there were survey courses which were actually numbered 200-, and he had been asked for the past few years by Dean Ruebel to give midterm reports. He had been doing this voluntarily, but technically, if Council passed this proposal, he might feel free from responding in the future because the course which he teaches was not a 100-level one. Was it intended that the 100-level course was to be understood to include others like his own, which were general survey courses, or not? Dean Ruebel responded that if this were passed, Dr. Gerlach would not get that request from him.

Dr. Gerlach also thought that it would be better, from the standpoint of helping the students, to initiate this as early as possible. If it began or was implemented during the seventh week of the term, that was getting close to midterm. Then we turned in the report on the eighth week, mailed them to the students at the beginning of the ninth week, and that wore well into the semester. How much good would result at that late stage compared to some time earlier? While it was true that many people might not have enough material to report until the seventh week, if we were to serve students in this category perhaps faculty members ought to find ways and means to start their efforts and examinations or assessments of students' work earlier than midterm. He certainly aimed to give the first examination in his survey class by no later than the fifth week of the semester.

Ms. Roni Rosenberger noted that sometimes in her classes she did

not have any grades by the eighth week because there had been no tests. Therefore, she could see why it would be necessary to wait until the ninth week for an assessment report.

Dean Isaac Hunt asked whether if this proposal passed it would be a good thing for the student body that Dean Ruebel would not make inquiry to Dr. Gerlach about those 200-level survey courses. The Chairman said that he could not see why, even if this proposal were passed, Dean Ruebel could not continue to request on a voluntary basis information about the 200-level courses.

Dean Ruebel responded that he was not opposed to doing that. Originally, he had identified nine courses which freshman were usually enrolled in; and he had requested from the individual departments which offered those courses information regarding those who were not attending or receiving a D or an F. He then transmitted that information to the academic advisors. Not all those who were asked to do this complied. He was not opposed to doing it on a voluntary basis for 200-level courses, but he thought that the structure had to be formalized for students at the freshman level.

The Chairman stated that he was confused by Dean Ruebel's response because he had said earlier that, if this passed, Dr. Gerlach would not receive a request for information. Now he was saying that maybe he would. Dean Ruebel replied that he made the original statement with the understanding that Dr. Gerlach would just as soon not send the information.

In the discussion which followed, some Council members wondered whether it would be better to expand the number of courses covered here beyond the 100- level. When Dean Ruebel noted that the original proposal had not specified only 100-level courses, the Chairman asked if anyone from APCC could enlighten the body as to why it had been changed.

Acting Dean Glenn Atwood remembered that there was a great deal of argument about this, with members supporting midterm grade reports for all courses and others wanting the responsibility to determine where they were to rest with the students. As he remembered it, the rationale for the 100-level specification was that it was a compromise.

Dr. John Bee commented that a distinction had normally been made between lower division (100- and 200-) and upper division (300- and 400-). Using this as a rationale, he moved to amend the document by adding the phrase "and 200-" after "100-", so that if passed it would effectively apply to all lower division courses and pick up many of the 200-level courses that we would reasonably expect freshmen to be taking. This was seconded.

Dean Long said that the effect of this motion on the Community and Technical College would be to have midterm grades for, maybe, 90 percent of their courses, and he favored it.

Dr. Jackson spoke against the motion because it would affect many courses which freshmen did not take. There should be a discussion of

which were the important courses, rather than trying to invent a net which would, hopefully, catch some and let others through.

Dr. Bee understood that there were many courses and many students to whom this would not apply. He suggested that it might be possible to practically get around this since the language required only reports for those students earning D's and F's. That was the population with which to be concerned, and one could hope that in the lower division courses there would be few enough of them that it would still not impose too great or unreasonable a burden to ask faculty to make the appropriate check at midterm.

Dean Williams thought that it was important to salvage students at the lower level whether they were freshmen or sophomores. If they knew that they were failing, it might help to save more of those students.

Dr. Fleming wanted to speak in favor of the amendment and noted that the logistics of reporting for lower level students University-wide could be a problem.

Dr. Keith Klafehn commented that there seemed to be a thought here that an official document from the University which said that the student had a D or an F was going to be more impressive than the fact that the student received a D or F on an examination returned to him by the professor. Perhaps the proposal would enhance the University's public relations with both parents and students, but it was naive to think that a piece of paper from the University would be any more impressive to a student than the fact that he received an examination that had a 46 on it. He thought that the University was spending money poorly under those circumstances.

Dean Griffin emphasized that the person who needed to be impressed in this process was the advisor. The advisor would not otherwise know that the student had received the D or F. The objective was better advising.

Dr. Buchthal suggested that instead of designating 100- or 200-level courses, perhaps it would be better to have wording like "freshman-level courses designated by the Dean of the University College." That way we could target specific courses and not hit everything.

In response to Dr. Mary Ellen Atwood's question about the logistics of accomplishing this, Dean Ruebel stated that Spicer could handle it.

Since there was no further discussion, the Chairman called for a vote and Dr. Bee's motion was defeated.

A discussion followed in regard to the suggested language changes made by Dr. Buchthal earlier. After a bit of fine tuning, a motion was made by him and seconded which read as follows: substitute for "in 100-level courses lasting all semester" the phrase "...in courses designated by the Dean of University College.." A vote was taken on this motion, and it passed.



Dean Hunt asked when the Registrar would need the information, if the grade was to be in the hands of the student by the ninth week. Dean Dubick responded that when the Registrar had originally been asked about this, the answer was that it should be turned in by the seventh week, as the second page of the proposal claimed. By passing this last motion, Council may have doubled the process, and he would have to check again.

Dean Atwood noted that the procedure as outlined said "...mailed to the student's permanent address at the beginning of the ninth week." Many of the students' permanent addresses were their home addresses, which might be in Timbuktu. Therefore, these reports would go out there and then have to be mailed back by their parents. It was probable that the students would not see them until well into the twelfth or thirteenth week of the semester.

Dean Ruebel again emphasized that the important part was the copy which went to the dean's office or the student's academic advisor so that the advisor could call the student in.

Dr. Gerlach reiterated his point that he was not certain that his midterm grade report would give students the help that they needed as early as possible. He thought we should be encouraging students and faculty to be handling this day by day, class by class, week by week. He had office hours and, if students who were having problems did not come in to see him for help, they should be treated as adults. They could take their lumps, and if they got their D's and F's in midterms, they would get their D's and F's at the end of the term. If they refused to take advantage of what assistance he offered, he was not so certain that they would get it by going through an advising process. On the one hand, he was sympathetic to helping the students; on the other, he was not certain that this was the way to do it.

The Chairman pointed out that it was not obvious by reading this proposal what exact language would be inserted somewhere; it was simply a kind of instruction that somebody implement this. Council then voted on the proposal and it passed 24 to 16. (For the full text of the proposal, see Appendix D.)

Mr. Forrest Smith wanted to know what procedure would be used so that advisors at Wayne General College would get this information. Dean Ruebel assumed that it would be automatic, and the Chairman asked that he be informed if it did not seem to be happening.

The Chairman then stated that before Council turned to its favorite topic (Faculty Ombudsman), he wanted to point out to Council something that he should have included in his earlier remarks. In the past he had tried to hold a reception for University Council members to thank them for their service. This year it became extremely difficult to find a date on which to do that, and so he had gone to Plan B, which was that he had for each member of Council a small gift of thanks for serving this year. He had them up front and would try to save time by distributing them before five o'clock.

Dean Hunt then moved to postpone discussion of the Ombudsman issue

until the next Council meeting in the fall, since there was little time to deal with it today. This was seconded, and Council voted its approval.

The next item of business was Representation of Contract Professionals on University Council. At the last meeting, Dr. C. Frank Griffin had moved acceptance of one of two proposals which had been sent to the Executive Committee (from Dr. Irv Brandel) and advised members to be aware of the other (from Mr. Patrick Darrah) as a possible substitute. Since the motion represented a Bylaws change, discussion and vote were postponed to the next meeting - this one. The Chairman recognized Dr. Griffin, who stated that he had no comment to make, but Dr. Brandel was in Council and wanted to speak.

Dr. Faith Helmick rose to move substitution of the "Darrah" proposal for the "Brandel" proposal, and her motion was seconded. She noted that one major difference between the two versions was that the Brandel version requested two representatives from the contract professionals while the Darrah version asked for only one. The Darrah version was produced by the Contract Professional Advisory Committee to the President, which was an elected committee of contract professionals advising the President. The other differences were primarily editorial, although there were a couple of sections which she wanted to point out. Under Section 3359-10-04, the Darrah version has one representative instead of two, although if the substitute passed she would support someone changing that from one to two. Under Section 3359-10-04 Elections, the Darrah version contained a change in order to allow contract professionals to elect a representative. In part H of that section, provision for that election was made and also all contract professionals who were already members of Council by virtue of their administrative assignments or by Presidential appointments were excluded. A fourth difference was that the Brandel version added a representative to the APPC and the Darrah version did not. The Contract Professional Advisory Committee when reading the charge of the APPC felt that that committee was to review the academic plans of colleges, and therefore a member of the contract professionals was inappropriate for that particular pool.

Dr. Irv Brandel then requested permission to speak, and Council voted its approval. Dr. Brandel said that because of the President's veto of the earlier decision of Council, all contract professionals were to be included in the pool, raising the number to around 250. It seemed to him that two representatives was a reasonable number from that constituency. When he asked Mr. Darrah why his proposal limited it to one, Mr. Darrah responded that he had been told that University Council would never pass two, only one. Dr. Brandel was not sure anyone knew what Council would do, but he did not think that this was a reasonable way to modify his proposal. He also did not agree with Dr. Helmick when she said that contract professionals would not have anything to do with academic policy. Many contract professionals were deeply involved in academic planning, and he urged Council to support his proposal as opposed to the substitute.

Dr. Helmick replied by first noting that she had already indicated

her support of someone changing the number of representatives in the Darrah version from one to two. Also she wanted to point out that Dr. Brandel had talked about the Academic Policies Committee; the recommendation was to add a member to the Academic Planning and Priorities Committee. The Academic Policies, Curriculum and Calendar Committee already could have any member of the University serve on it, including Contract Professionals.

The Chairman then called for a vote on the motion to substitute, and it was approved.

Associate Provost Hilton Bonniwell then moved to change the number of representatives in the Darrah version from one to two, and this was seconded. Since there was no discussion, the Chairman called for a vote and the motion was passed.

The Chairman then called for a vote on the amended main motion, the Darrah proposal, and it was approved. (For the full text of the Brandel proposal and the amended and approved Darrah proposal, see Appendices E and F).

Dr. William Fleming then moved to adjourn, and this was seconded. The Chairman, however, noted adjournment would not happen until it had been declared. It was appropriate to discuss certain items even after adjournment had been moved, but it was not appropriate to debate the question of adjournment.

Dr. Helmick had a question concerning the motion just passed by Council. The procedure for Bylaws changes required election procedures to be approved by Council, and there seemed to be no direction on who would do these procedures and when they would be brought to Council. The Darrah letter did indicate that the Contract Professional Advisory Committee would be willing to do that and bring the actual election procedures to Council.

The Chairman suggested that since the intent of the body was clear, the Secretary of Council would see to it that this was referred somewhere so that elections could be determined by this body. He then reminded Council members that before voting to adjourn with their feet, there were presents up at the front of the room in gratitude for the service of the year.

Item No. 9 - Adjournment. Council adjourned at 4:47 p.m.

APPENDIX A

3359-20-03 The Faculty: General Personnel Policies

(A) Faculty Appointments

- (1) (a) (ii) THE TITLE OF DISTINGUISHED PROFESSOR SHALL BE AWARDED ONLY TO ONE WHO, ALREADY HOLDING THE RANK OF PROFESSOR FOR FIVE OR MORE YEARS, CONTINUES TO EXCEL IN TEACHING AND IN SCHOLARLY ACTIVITY OR ARTISTIC PERFORMANCE AT THE UNIVERSITY OF AKRON AT A LEVEL SIGNIFICANTLY BEYOND THE EXPECTATIONS FOR THE RANK OF PROFESSOR. THE AWARD CARRIES A SUITABLE SALARY ADJUSTMENT.

NOMINATIONS FOR DISTINGUISHED PROFESSOR MAY BE MADE EITHER BY MAJORITY VOTE OF THE NOMINEE'S DEPARTMENT, DIVISION, OR COLLEGE, OR BY THE DEAN OF THE COLLEGE. UPON RECEIVING OR MAKING A NOMINATION, THE DEAN SHALL CONVENE THE COLLEGE REVIEW COMMITTEE.

EACH COLLEGE FACULTY SHALL ELECT ITS REVIEW COMMITTEE TO CONSIDER SUCH NOMINATIONS. ONLY FACULTY HOLDING THE RANK OF PROFESSOR OR THE TITLE OF DISTINGUISHED PROFESSOR ARE ELIGIBLE TO SERVE. THE COMMITTEE SHALL CHOOSE ITS OWN CHAIR. IF A MAJORITY OF THE REVIEW COMMITTEE APPROVES OF THE NOMINATION, THE DEAN SHALL FORWARD THE REVIEW COMMITTEE'S RECOMMENDATIONS, TOGETHER WITH WHATEVER COMMENTS HE OR SHE WISHES TO MAKE, TO THE UNIVERSITY DISTINGUISHED PROFESSOR COMMITTEE CONVENED BY THE SENIOR VICE PRESIDENT AND PROVOST.

THE UNIVERSITY DISTINGUISHED PROFESSOR RECOMMENDATION COMMITTEE SHALL CONSIST OF ONE MEMBER ELECTED FROM EACH OF THE DEGREE-GRANTING COLLEGES. ONLY THOSE HOLDING THE RANK OF PROFESSOR OR THE TITLE OF DISTINGUISHED PROFESSOR ARE ELIGIBLE TO SERVE ON THIS COMMITTEE, WHICH SHALL ELECT ITS OWN CHAIR. IF A MAJORITY OF THE REVIEW COMMITTEE VOTES FAVORABLY, IT SHALL FORWARD THE RECOMMENDATION TO THE PROVOST. THE PROVOST SHALL FORWARD THE RECOMMENDATION, TOGETHER WITH WHATEVER COMMENTS HE OR SHE WISHES TO MAKE, TO THE PRESIDENT OF THE UNIVERSITY.

APPENDIX B

DATE: April 18, 1989  
TO: Dr. Gary Oller, Secretary  
University Council  
FROM: Ad-hoc Part-time Faculty Rights and Grievance Committee  
Linda, Weiner, Chair  
SUBJECT: Interim Report

The Ad-hoc Part-time Faculty Rights and Grievance Committee of University Council has been meeting on a bi-weekly schedule and plans to continue to meet during the summer. At our first meeting we elected a chair and, in keeping with our charge, formed the following sub-committees: continuation and termination, evaluation, benefits, salary, and grievance procedure.

Our first effort is documenting the University's various procedures for part-time staffing. From the Provost's Office we are requesting current data on part-time staffing; from part-time faculty and relevant administrators we will be requesting information on procedures used in hiring, rehiring, evaluating, terminating, promotion, etc.

APPENDIX C

The following is the original proposed amendment to the Faculty Manual, as revised by Council at its meeting of 3/2/89.

Amend Faculty Manual section 3359-20-02 Organization of the University, (5) (vi) as follows:

Each college dean, in consultation with the elected members of University Council from that college, shall initially synchronize the review of the department. In assigning priorities, the dean shall attempt to have approximately one-fourth of the departments reviewed each year. THE REVIEW SHALL CONSIST OF AN EXAMINATION OF THE DEPARTMENT HEAD'S VITA, INTERVIEWS WITH EACH FACULTY MEMBER, AND ~~ANONYMOUS~~ WRITTEN EVALUATIONS SOLICITED FROM EACH MEMBER OF THE DEPARTMENT IN QUESTION. THESE EVALUATIONS SHALL INCLUDE A QUESTION, "SHALL THE DEPARTMENT HEAD BE RETAINED?" WITHOUT A FAVORABLE VOTE OF 60% OF THE DEPARTMENT FACULTY, A NEW HEAD SHALL BE SELECTED IN ACCORDANCE WITH THE DEPARTMENT'S GUIDELINES. THE DEAN SHALL THEN COMMUNICATE HIS/HER EVALUATION OF SAID DEPARTMENT TO THE PROVOST AND TO THE RELEVANT FACULTY ACCOMPANIED BY ALL DOCUMENTATION, INCLUDING THE ~~ANONYMOUS~~ FACULTY ~~LETTERS~~ EVALUATIONS. RECORDS SHALL BE KEPT OF THIS MATERIAL.

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The following is an amendment proposed by Dr. William Fleming at the 3/2 meeting to replace the sentence, "These evaluations shall include a question, 'Shall the department head be retained?'" :

The dean shall require a secret ballot of each member of each department under his jurisdiction at least once in every four years, oftener as circumstances may suggest. A vote of 60 percent shall be required to retain a department head in that office.

Due to loss of a quorum, the meeting was adjourned and discussion of this amendment was carried over to the April meeting.

At the 4/6/89 meeting of Council, the proposed amendment to the Faculty Manual was revised as follows:

Amend Faculty Manual section 3359-20-02 Organization of the University, (5) (vi) as follows:

Each college dean, in consultation with the elected members of University Council from that college, shall initially synchronize the review of the department. In assigning priorities, the dean shall attempt to have approximately one-fourth of the departments reviewed each year. THE REVIEW SHALL CONSIST OF AN EXAMINATION OF THE DEPARTMENT HEAD'S VITA, INTERVIEWS WITH EACH FACULTY MEMBER, AND WRITTEN EVALUATIONS SOLICITED FROM EACH MEMBER OF THE DEPARTMENT IN QUESTION. THESE EVALUATIONS SHALL INCLUDE A QUESTION, "SHALL THE DEPARTMENT HEAD BE RETAINED?" WITHOUT A FAVORABLE VOTE OF 60% MAJORITY VOTE OF THE DEPARTMENT FACULTY, A NEW HEAD SHALL BE SELECTED IN ACCORDANCE WITH THE DEPARTMENT'S GUIDELINES. THE DEAN SHALL THEN COMMUNICATE HIS/HER EVALUATION OF SAID DEPARTMENT TO THE PROVOST AND TO THE RELEVANT FACULTY ACCOMPANIED BY ALL DOCUMENTATION, INCLUDING THE FACULTY EVALUATIONS. RECORDS SHALL BE KEPT OF THIS MATERIAL.

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Also, discussion of Dr. Fleming's amendment was resumed. The amendment, as revised by Council, appears below. After the changes shown were made, Dr. Jackson moved postponement of further discussion until the May Council meeting.

The following language would replace the question, "Shall the department head be retained?"

The dean shall ~~require~~ CONDUCT a secret ballot of ~~each~~ ALL members of each department under his/her jurisdiction at least once in every four years, oftener as circumstances may suggest, and these ballots shall require a ~~60 percent support~~ MAJORITY VOTE OF THE DEPARTMENT FACULTY to retain a department head in that office.

At the 5/4/89 Council meeting, a memo was circulated by Dr. Fleming as a substitute for the amendment under consideration. Following is the text of the memo, including the revisions made by Council during this session. Following this, Mr. Jamison moved that this item be referred to the Faculty Rights and Responsibilities Committee for consideration, particularly of its language and interaction with other parts of the Faculty Manual. Council approved the motion.

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DATE: 4 May 1989

TO: University Council Members

SUBJECT: Clarifying Language of Proposed Amendment to Faculty Manual  
Section 3359--20-02: Organization of the University, (5)  
(vi)

The following proposes to revise for clarity the language of an amendment to Department Head review procedures currently before Council; the proposal contains no substantive changes from present document (Chronicle, March 27, Appendix I, p. 58):

NEW PROPOSED AMENDMENT:

Each dean, in consultation with elected members of University Council from that college, shall review the performance of approximately one-fourth of the department heads in his or her college during each academic year. The review shall consist of an examination of the head's curriculum vita and teaching evaluations; individual interviews with all members of the department; anonymous written evaluations in a form designed and/or accepted for such use by the faculty of the college; and shall solicit from all department faculty a separate vote by secret ballot containing the question, "Shall the Department Head, (FULL NAME), be retained?" and requiring only a / or X for "Yes," "No," "Abstain." *If the Head fails to receive a plurality of YES votes UNLESS MORE "YES" VOTES THAN "NO" VOTES*, the dean shall begin established college or division procedures for selecting a new head. In the event of a tie, the dean shall cast the deciding vote.

CURRENT PROPOSED AMENDMENT: (See Chronicle as noted.)

amend.489



## APPENDIX D

PROPOSAL FOR A MIDTERM GRADE REPORTING SYSTEM AT  
THE UNIVERSITY OF AKRONRATIONALE

Currently no systematic method exists to provide students with reliable feedback about their overall performance during the academic semester. While students certainly receive numerous grades for a variety of tasks throughout the semester, e.g., tests, papers, class participation, lab work, etc., oftentimes these individual tasks never "add up" to any meaningful and useful evaluation until the term is ended and it is too late for students to make necessary adjustments in their academic behavior.

"IT IS PROPOSED THAT A MIDTERM GRADE REPORT SYSTEM BE INSTITUTED WHEREBY ALL STUDENTS EARNING D'S OR F'S IN 100 LEVEL COURSES LASTING ALL SEMESTER COURSES DESIGNATED BY THE DEAN OF UNIVERSITY COLLEGE WOULD RECEIVE A GRADE REPORT DURING THE NINTH WEEK OF THE TERM."

1. IMPROVED STUDENT RETENTION. The feedback provided by midterm grades would undoubtedly serve to motivate many students to improve their performance over the second half of the term to avoid receiving a deficiency final grade.
2. ENHANCED PUBLIC RELATIONS WITH STUDENTS. Students would appreciate the attention and concern the University and faculty would demonstrate by providing the type of information which could assist them in being successful.
3. ENHANCED PUBLIC RELATIONS WITH PARENTS. Parents oftentimes perceive the University to be a large, bureaucratic institution more concerned with collecting fees and flunking students out than assisting students to be successful. Midterm grades would convey a real interest on the part of the institution in helping students, especially those who are experiencing difficulties.
4. ELIMINATION OF DUPLICATE GRADE REPORTING EFFORTS. Currently much effort is being expended by numerous individuals to track the grade progress of specific student subgroups - student athletes, minority students, probationary students, etc. A midterm grade report system would replace and enhance such uncoordinated efforts.

5. RESOLUTION OF ERRONEOUS REGISTRATIONS. Given the idiosyncrasies of our registration system with partial term courses, intersessions, cancelled courses, administrative withdrawals, etc., each semester many students receive final grades for courses they never attended, as well as attend courses they are not registered in - oftentimes because they were unaware of their actual registration. Midterm grades would alert students to such erroneous registrations in time to resolve them before final grades are issued.
6. CLEARER REPORTING OF GRADES. Instructors would be challenged to state clear grading policies and to communicate such grading policies to students earlier in the semester.

#### IMPLEMENTATION

During the seventh week of the term the Records Office would send a grade reporting card to instructors. Cards would be returned to the Records Office by the end of the eighth week with midterm grade reports being mailed to students' permanent addresses at the beginning of the ninth week. In addition, collegiate Deans would receive a set of duplicate grades for their students.

#### SUPPORT

This proposal was discussed at the April 12, 1988 Council of Deans meeting where it received strong support. The collegiate deans felt that a midterm grade report system had the potential to make a positive impact on student retention.

APPENDIX E

THE UNIVERSITY OF AKRON  
INTEROFFICE CORRESPONDENCE

February 16, 1989

TO: John Bee, Chairman  
Executive Committee of University Council

FROM: Patrick Darrah, Chairman  
Contract Professional Advisory Committee

SUBJECT: Representation of Contract Professionals  
on University Council

On behalf of the Contract Professionals at The University of Akron, the Contract Professional Advisory Committee requests University Council consider amending the Council Bylaws to permit inclusion of a representative from the Contract Professionals on University Council and appropriate permanent committees of Council.

Contract Professionals are non-teaching professional personnel of the University. Contract Professionals may be appointed as instructional professional staff if their responsibilities involve instructional or academic support activities, or as administrative professional staff if their responsibilities are business/administrative in nature. Persons appointed to this category prior to July 1, 1986 are also designated as "Members of the General Faculty."

Contract Professionals constitute a significant part of the University community and are integrally involved in its affairs. Therefore, members of this group have a vital interest in and contribution to make to the governance of the institution.

Recommended changes to the Council Bylaws are included in the attachments. In addition, the Contract Professional Advisory Committee will be happy to develop procedures for electing a representative to Council should these Bylaw changes be approved.

If you have any questions concerning the attachments, please do not hesitate to contact me.

attachments

- (D) Eight student representatives comprising four students from the undergraduate day enrollment selected in such manner as determined by Associated Student Government, two evening students selected in such manner as determined by the Evening Student Council, one student selected from the Graduate Student Council in a manner agreeable to such Council, and one student selected from the Student Bar Association in a manner agreeable to such Association.
- (E) The Chair of the University Council Committee of Department and Division Heads, as an ex officio and nonvoting member.
- (F) Chairs of the University Council's Committees on Faculty Rights and Responsibilities and on Faculty Well-Being, who shall be nonvoting members for reporting purposes only unless they are regularly chosen as members of the Council.
- (G) A representative of the part-time faculty shall be elected as a voting member.
- (H) One retired University of Akron faculty member as a voting member whom the President appoints from a list of nominees supplied by retired faculty.
- (I) ~~A~~ TWO REPRESENTATIVES OF THE CONTRACT PROFESSIONALS SHALL BE ELECTED AS ~~A~~ VOTING MEMBERS.

3359-10-04 Elections

- (A) The elected faculty members shall be elected from their individual colleges by normal democratic procedures, utilizing the secret ballot.
- (B) Under the provisions of this article, adjunct and visiting faculty, contract professionals, and persons of any decanal rank are excluded FROM ELECTION AS A FACULTY REPRESENTATIVE TO COUNCIL.
- (C) All full-time teaching members of the faculties of the colleges (Instructors, Assistant Professors, Associate Professors, and Professors) and all librarians of faculty rank are electors of Council members.
- (D) Those eligible for election are full-time teaching members of the faculties of the colleges and librarians with the rank of Instructor, Assistant Professor, Associate Professor, or Professor, with or without tenure.
- (E) Each degree-granting college with separate full-time teaching faculty shall elect representatives in accordance with the following formula:

Faculty Size	Number of Representatives
1 - 10	one
11 - 25	two

Plus one (1) additional representative for each additional twenty-five (25) faculty members or fraction thereof. Faculty size for the purpose of the election shall be determined by counting all full-time teaching Instructors, Assistant Professors, Associate Professors and Professors currently employed one month before the election is held.

- (F) (1) Elections in the individual colleges shall be scheduled so that they are completed by May 1 of each year and the manner of election shall be determined by each individual college.
- (2) New members shall take office at the regular September meeting of the Council. Each member shall be elected for a two-year term.
- (3) Members may be reelected.
- (4) In the event of a vacancy before a full term has been served, a special election shall be held by the college where the vacancy occurred. Should a member of Council be unable to discharge the duties of the office for one or more semesters, the college concerned may elect a replacement for the duration of the absence. Such replacement Council member shall sit on the same committees as the person being replaced.
- (G) The elected part-time faculty representative shall be elected by members of the part-time faculty, utilizing the secret ballot, by procedures adopted by Council.\*
- (H) THE ELECTED CONTRACT PROFESSIONAL REPRESENTATIVES SHALL BE ELECTED BY MEMBERS OF THE CONTRACT PROFESSIONALS, UTILIZING THE SECRET BALLOT, BY PROCEDURES ADOPTED BY COUNCIL. CONTRACT PROFESSIONALS WHO ARE MEMBERS OF UNIVERSITY COUNCIL BY VIRTUE OF THEIR ADMINISTRATIVE ASSIGNMENT OR BY PRESIDENTIAL APPOINTMENT AND THOSE WHO HOLD THE POSITION OF VICE PRESIDENT ARE EXCLUDED FROM ELECTION AS THE CONTRACT PROFESSIONAL REPRESENTATIVE TO COUNCIL.

#### 3359-10-05 Officers of the Council

- (A) The Senior Vice President and Provost shall preside at the meetings. However, it shall be the right and duty of the President to preside at the meetings of University Council should the President choose to do so.
- (B) In the absence of the Senior Vice President and Provost, the presiding officer shall be a President Pro Tempore who shall be elected by the Council annually in September from

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\*Adopted by University Council on February 6, 1986.

May 31, 1989

Page 29

DATE: 2-6-89  
TO: Dr. Gary Oller, Secretary  
Executive Committee, University Council  
FROM: Dr. Irvin Brandel  
SUBJECT: ATTACHED RESOLUTION

Please accept the attached resolution as a response to President Muse's request that the "General Faculty Representation Resolution" be resubmitted to University Council. I ask that you present it to the Executive Committee.

Note that the new resolution does not differentiate between groups of contract professionals (general faculty) per the President's recommendation. Further, the new resolution adds one more elected representative for the contract professionals since the President's suggestion significantly increases the size of the constituency.

I suggest that this resolution be treated as an amendment to the former resolution as opposed to a completely new initiative. This way it can be discussed and voted upon at the next University Council meeting. Please contact me if I can be of further assistance.

ses

Attachment

THE UNIVERSITY OF AKRON

Bylaws of the University Council\*

3359-10

3359-10-03 Composition of the Council

The University Council shall consist of the following:

- (A) The President, the Senior Vice President and Provost, the Dean of the Graduate Studies and Research.
- (B) The Academic Deans (Arts and Sciences, Engineering, Education, Business Administration, Fine and Applied Arts, Nursing, Law, Polymer Science and Polymer Engineering, Community and Technical College and Wayne General and Technical College), the Dean of the Evening College and Summer Sessions, the Director of University Library and Learning Resources, the Associate Provost for Continuing Education, Public Services and Outreach, the Dean of the University College and the Associate Provost and Dean of Student Services, plus three other administrators whom the President wishes to appoint.
- (C) Elected members from the degree-granting college faculties including Wayne General and Technical College (Graduate School excepted) elected according to the formula in 3359.10- 04 (E). Additional members to be elected as increased numbers warrant, as indicated in 3359-10-04 (E). The librarians holding faculty rank shall be considered the equivalent of a degree-granting college faculty for the purpose of elective membership.
- (D) Eight student representatives comprising four students from the undergraduate day enrollment selected in such manner as determined by Associated Student Government, two evening students selected in such manner as determined by the Evening Student Council, one student selected from the Graduate Student Council in a manner agreeable to such Council, and one student selected from the Student Bar Association in a manner agreeable to such Association.
- (E) The Chair of the University Council Committee of Department and Division Heads, as an ex officio and nonvoting member.

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\*Adopted by the Board of Trustees, July 1, 1967, and amended 1969, 1970, 1971, 1972, 1974, 1978, 1980, 1981, 1982, 1984, 1986, 1987, 1988.

- (F) Chairs of the University Council's Committees on Faculty Rights and Responsibilities and on Faculty Well-Being, who shall be nonvoting members for reporting purposes only unless they are regularly chosen as members of the Council.
- (G) A representative of the part-time faculty shall be elected as a voting member.
- (H) One retired University of Akron faculty member as a voting member whom the President appoints from a list of nominees supplied by retired faculty.
- (I) TWO REPRESENTATIVES OF THE CONTRACT PROFESSIONALS (GENERAL FACULTY) SHALL BE ELECTED AS VOTING MEMBERS.

**3359-10-04 Elections**

- (A) The elected faculty members shall be elected from their individual colleges by normal democratic procedures, utilizing the secret ballot.
- (B) Under the provisions of this article, adjunct and visiting faculty, contract professionals, and persons of any decanal rank are excluded.
- (C) All full-time teaching members of the faculties of the colleges (Instructors, Assistant Professors, Associate Professors, and Professors) and all librarians of faculty rank are electors of Council members.
- (D) Those eligible for election are full-time teaching members of the faculties of the colleges and librarians with the rank of Instructor, Assistant Professor, Associate Professor, or Professor, with or without tenure.
- (E) Each degree-granting college with separate full-time teaching faculty shall elect representatives in accordance with the following formula:

Faculty Size	Number of Representatives
1 - 10	one
11 - 25	two

Plus one (1) additional representative for each additional twenty-five (25) faculty members or fraction thereof. Faculty size for the purpose of the election shall be determined by counting all full-time teaching Instructors, Assistant Professors, Associate Professors and Professors currently employed one month before the election is held.



- (F) (1) Elections in the individual colleges shall be scheduled so that they are completed by May 1 of each year and the manner of election shall be determined by each individual college.
  - (2) New members shall take office at the regular September meeting of the Council. Each member shall be elected for a two-year term.
  - (3) Members may be reelected.
  - (4) In the event of a vacancy before a full term has been served, a special election shall be held by the college where the vacancy occurred. Should a member of Council be unable to discharge the duties of the office for one or more semesters, the college concerned may elect a replacement for the duration of the absence. Such replacement Council member shall sit on the same committees as the person being replaced.
- (G) The elected part-time faculty representative shall be elected by members of the part-time faculty, utilizing the secret ballot, by procedures adopted by Council.\*
- (H) THE ELECTED CONTRACT PROFESSIONALS (GENERAL FACULTY) REPRESENTATIVES SHALL BE ELECTED BY MEMBERS OF THE CONTRACT PROFESSIONALS (GENERAL FACULTY) BY NORMAL DEMOCRATIC PROCEDURES UTILIZING THE SECRET BALLOT, BY PROCEDURES ADOPTED BY COUNCIL.

3359-10-09 Functions of Permanent Committees\*\*  
of University Council\*\*\*

(C) Academic Planning and Priorities Committee.

- (1) In conjunction with the Provost, this Committee reviews the proposed plans of academic units and recommends priorities among such plans. Such recommendations shall be reported to the Provost; an information copy of such recommendations shall be reported to Council.

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\*Adopted by University Council on February 6, 1986.

\*\*Each Committee has, under Robert's Rules of Order, the discretion to establish and abolish whatever subcommittees it sees fit, and no person who is not a member of a Standing (Permanent) Committee may serve as a member of a subcommittee. It is each Committee Chair's responsibility to maintain minutes and pass them on to the incoming chair.

\*\*\*Approved May 31, 1973 and amended June 1974, February 1987

- (2) The Committee shall consist of the following:
- (a) One member from the full-time faculty from each of the degree-granting colleges, elected by its full-time faculty:
    - (i) Arts and Sciences
    - (ii) Business Administration
    - (iii) Community and Technical
    - (iv) Education
    - (v) Engineering
    - (vi) Fine and Applied Arts
    - (vii) Law
    - (viii) Nursing
    - (ix) Polymer Science and Polymer Engineering
    - (x) Wayne General and Technical
  - (b) One full-time faculty member from Bierce Library, elected by its full-time faculty.
  - (c) ONE CONTRACT PROFESSIONAL (GENERAL FACULTY) ELECTED BY THE CONTRACT PROFESSIONALS (GENERAL FACULTY).
  - (d) (D) President Pro Tempore of University Council.
- (3) Deans, Associate Deans, Assistant Deans, the Director of University Library and Learning Resources, and persons of similar decanal rank are ineligible to serve on the committee. Members shall serve overlapping three-year terms so that during two years three are elected, while four are elected during the third year.

