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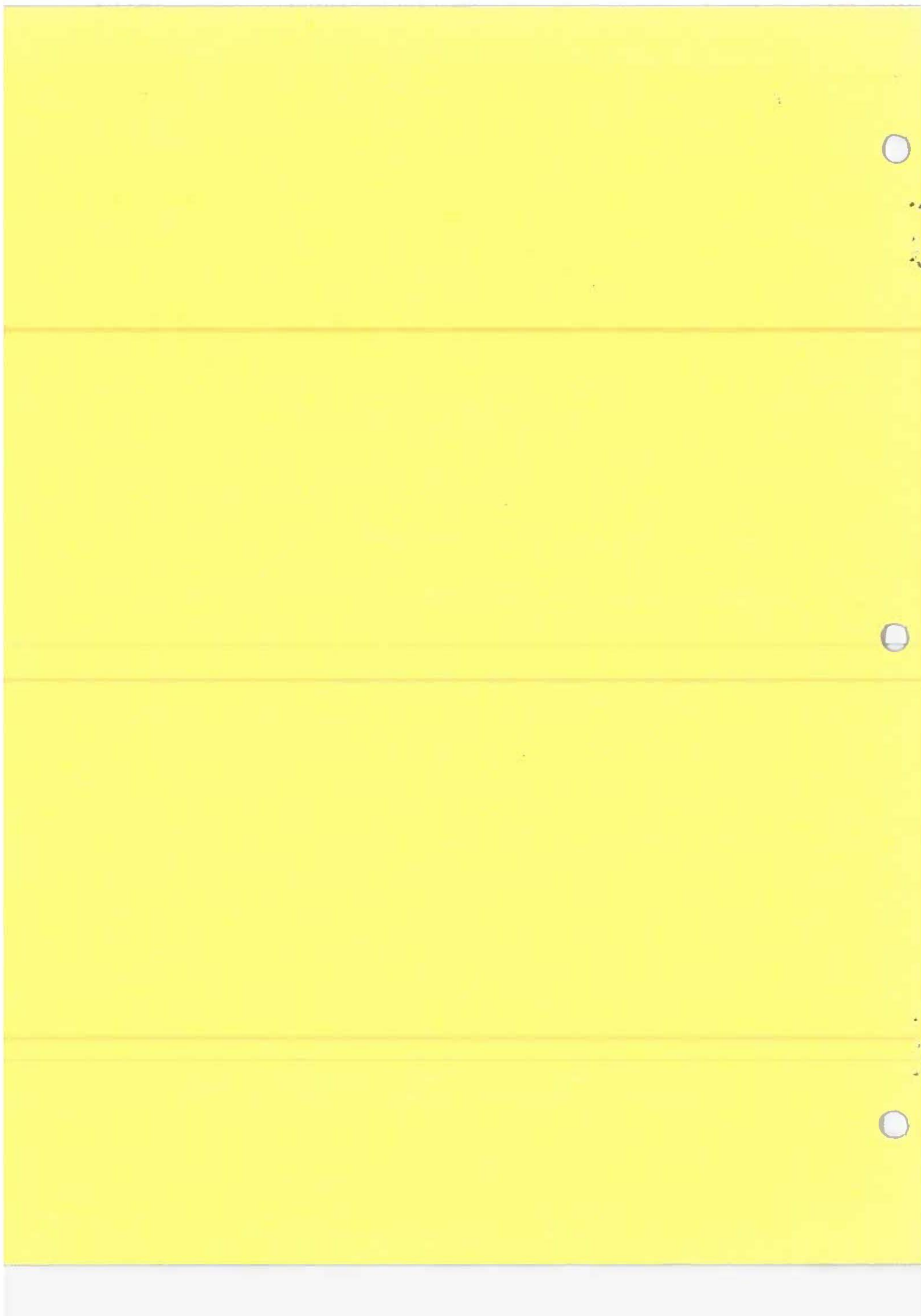
November 18, 1993

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Any comments concerning the contents in The University of Akron Chronicle may be directed to the Secretary, Mr. David Brink (+1707).



**THE UNIVERSITY OF AKRON FACULTY SENATE
MINUTES OF THE MEETING OF NOVEMBER 18, 1993**

The special meeting of the Faculty Senate was called to order by Chairman Gerlach at 3 p.m. on Thursday, November 18, in the Goodyear Lecture Hall in the College of Business Administration.

Forty-four of the fifty-three members of the Faculty Senate were in attendance. Senator Griffin was absent with notice. Senators Clay, Huff, John, Liang, Moss, Spooner, Stull, and Webb were absent without notice.

SENATE ACTION

- **POSTPONED SEXUAL HARASSMENT POLICY UNTIL DECEMBER 2**
- **REFERRED SALARY EQUITY STUDY TO THE BUDGET AND PLANNING PRIORITIES COMMITTEE**
- **REFERRED FACULTY WORKLOAD POLICY STUDY TO THE ACADEMIC POLICIES, CURRICULUM AND CALENDAR COMMITTEE, SUBCOMMITTEE ON POLICY**
- **APPROVED PROPOSAL FOR DEPARTMENT CHAIRS**

ITEM NUMBER 1 - APPROVAL OF THE AGENDA - Senators Green and Fleming moved and seconded the adoption of the agenda, respectively. Motion carried.

ITEM NUMBER 2 - CONSIDERATION OF THE MINUTES OF OCTOBER 7, 1993 - Secretary Brink noted that at the top of page 2 in the first line in the middle of the sentence, the word "deliberate" should be "deliberative"; that on page 5, in the paragraph that said "Michael Cheung..." the last sentence, for the sake of clarity, should read "several people stated that the ERIP only applied to faculty;" and that in the middle of page 6, "The motion passed" stood by itself with no explanation and probably should read "The motion to postpone consideration of the assessment passed." He moved approval of the minutes. Senator Edwards seconded.

Senator Weber said that there were two references to Senator Wright both listing her first name as Deborah when it was Dianne. One was on page 6 and the other on page 8. Motion to approve the minutes carried.

ITEM NUMBER 3 - SEXUAL HARASSMENT POLICY - Senator Green said that the Reference Committee had met several times to carry out the charge given to the committee by the Senate to take the Sexual Harassment Policy which had been passed at the first meeting of the Senate and to amend it, taking into account the advice given by the legal department. The Committee had done that and the document was distributed. To facilitate consideration of this document, he wanted first to move that the past policy be rescinded. If that were passed then he would move that this policy be adopted. He explained that the reason for this was to simplify parliamentary procedure. Some of the language was the same but there were still extensive changes. Rather than get into confusing questions of which paragraph and which

sentence were being changed and which stayed the same, it seemed reasonable to rescind what was done before and then work on this document, making whatever corrections the Senate wished. Accordingly, he moved that the previously passed Sexual Harassment Policy be rescinded. Seconded by Senator Oller. Motion carried by the requisite two-thirds majority.

Senator Green moved the adoption of the Sexual Harassment Policy as reported out of the Reference committee. Seconded by Senator Clinefelter.

Senator Green said that the legal advisers had two basic problems with the previous policy. One was that it was unclear in the previous policy that the university was protecting itself from liability by taking all complaints or incidents of potential sexual harassment complaints seriously. Second, the legal advisers felt that the procedures that were outlined were unclear and troublesome. The Committee had addressed both of these problems by trying to make it clear at every point that the University took sexual harassment very seriously and would do its best at every occasion to resolve the matter appropriately. And secondly, the Committee had changed the procedures for reporting and processing incidents. He said that those were the two big changes; most of the document was the same. In the document that was sent to Senators in the mail, those things which were in bold represented substantial changes, either completely new sections or extensive revisions of existing sections. He asked if there were any questions.

Senator Sibberson said that many senators received the policy only yesterday and had not had adequate time to study it. Senator Laconi said he had not received his copy yet. Chairman Gerlach asked if there was reluctance to proceed with this business.

Senator Perry said that as he read the way this was worded, there was no mention of a particular sex in any place, so it would be understood that the harassment policy considered equally male against female, female against male, male against male, and female against female, and any additional combinations that might be possible. Last Saturday, there was an article in the Beacon Journal regarding an incident of boys harassing other boys that was thrown out by the U.S. Department of Education. He wondered if that had any implication for the University.

Senator Harris replied that there was no specific language on sex because sexual harassment was all encompassing for any sex. This policy allowed everyone who was harassed to file a complaint about anyone who was harassing.

Senator Green added that there was a very explicit definition of what constituted sexual harassment taken from the appropriate state and federal regulations. Mere harassment, regardless of the sex of the individuals involved, would not necessarily fall under this. It would have to have these particular characteristics which were outlined in quite some detail.

Senator Kimmell said that in the first sentence, it said "The University of Akron reaffirms its commitment to an academic, work, and student environment free of inappropriate and disrespectful conduct and communication in any form." Would it not be clearer if it said "communication of a sexual nature"? Senator Harris replied that the issue was addressed in section B. Section A was merely an introduction and the statement got to the meat of it in section B. Senator Kimmell stated that the way it read, it talked about any inappropriate or disrespectful conduct, period.

Senator Ranson said that the Senate might have a tendency to edit this thing to death on rather short notice. He moved, therefore, to postpone the matter until the December 2 meeting. Seconded by Senator Glaser.

Senator Edwards said that she was favorably disposed to this motion if the existing policy was reinstated so that the University was not left in a vacuum. Chairman Gerlach ruled that Senator Green's motion that was passed to rescind action previously taken was not a motion to rescind the standing policy that was on the books but only the previous drafts that were made in an effort to revise that policy.

Senator Green moved to amend the motion to postpone to suggest that senators who want to propose amendments, submit them to the Reference Committee in advance. Seconded by Senator Newman. The amendment carried. The motion to postpone as amended was carried.

ITEM NUMBER 4 - PROVOST'S PROPOSALS FOR COMMITTEES

A. Study Salary Equity - Senator McGucken said that these two proposals raised issues of a larger nature concerning operation of this body and its relationship to central administration and it would be worth considering those for a moment. First of all, the proposal was directed directly to the Senate. Since the Senate had a chair and an executive committee, it would seem appropriate for communications from Buchtel Hall to go to the Chairman of the Senate and to the Executive Committee. Second, he said that he was a little uncomfortable with some of the language. In the second sentence, the proposal stated that the President had directed. There was an implication that this Senate was being directed by the President and that was unfortunate. He said that, admittedly this was a transitional phase between University Council and the Senate. He thought that Senate should be careful in working out just what the nature of the Senate was going to be. The way he would have liked to have seen this handled would have been for the President or the Provost to have approached the Chairman of the Senate directly. Then the Chairman could have taken it to the Executive Committee. They could have discussed it and brought a proposal to the full Senate.

Regarding the proposal here, he continued, it would follow from what the Provost was suggesting that there would be two committees; one working without the knowledge of the other. That was unfortunate. And then the closing sentence was disturbing, saying that the reports from the two committees would be reviewed, and then the President and the Provost would report back to the Senate. He thought equity was a serious matter in which the faculty ought to be fully involved. Furthermore, he thought the suggestion of the creation of a new committee was unnecessary. It would be appropriate to direct the whole question of salary inequity to the University Well-Being Committee. And because he recognized that some contribution from the administration was essential and necessary to provide information, it might be that the University Well-Being committee would invite the acting Provost and the Dean of the C&T college and the chairman of the Geography Department, who was past president of University Council, to sit with the University Well-Being Committee. He so moved. Seconded by Senator Oller. → provost

Senator Marquette said that he agreed with Senator McGucken's argument that salary equity needed to be carefully considered by a Senate committee. Given the composition of the Budget and Planning Coordination Committee as outlined in the Senate Bylaws with a number of senators from different colleges with administrators already designated, and given that there were unelected members of the University Well-Being Committee, and given the nature of the problem, it would be best if this particular action were assigned to the Budget and Planning Coordination Committee. He moved to amend the motion and direct the study to the Budget and Planning Coordination Committee rather than to the Well-Being Committee. Seconded by Senator Green.

Senator Oller asked if that committee had actually met and gotten organized and elected a chair. Senator Marquette said not to his knowledge. However, given the nature of what the Budget and Planning Coordination Committee was supposed to be handling, it would be a good time to start this committee up. Salary equity was a good task for this committee to start working on and it will have the kind of information that was going to be really needed to do this task.

Senator Harris recalled that not long ago a committee had reviewed salary equity. She thought it would be appreciated by the body to find out what happened with that committee, if it was still in existence, what did it come up with and was anything done about it. Another thing that concerned her when she read the proposal was whether this should be an ongoing task. Then the Senate would not have to create various committees for a problem or a perceived problem that might be continuous. Senator Clinefelter stated that the salary equity committee that existed quite some time ago was an appointed committee that served one summer only and was discharged upon completion of its duties. The University Well-Being Committee has done salary equity studies before.

Senator Marquette thought that the major benefit of assigning the issue to the Budget and Planning Coordination Committee was because it was monetary and under the guidelines, the Budget and Planning Coordination Committee already had administrators on it. He thought that it was important to get both the Budget and Planning Coordination Committee and the Long Range Planning Committee up and functioning on issues as soon as possible. The Senate needed to start dealing with issues within the created structure.

Senator Clinefelter said that she would not argue with Senator Marquette's remarks although she favored the University Well-Being Committee, having had experience with that. She thought that it was very important that the regular Faculty Senate committees be used for studies of this type; that the Senate did not go outside the Faculty Senate structure making a lot of ad hoc committees unless there truly was something that could not be accommodated within the present committee structure.

Senator Richards said that she agreed with Senators Clinefelter and McGucken, primarily because on the University Well-Being Committee there was in place an elected representative from each division of the faculty.

Senator Green opined that the issue of representation was not important and the Budget and Planning Coordination Committee represented the Senate as well as the faculty as well as the colleges. On the Budget and Planning Coordination Committee there was at least one senator from every college and those senators were accountable, not only to the people who elected them and their colleges, but also to the Senate. If the Senate was going to have a role in fiscal matters here at the University, where salary equity was a central issue, it seemed to him that it was very important that the members of the various committees interacted with administrative officials and be accountable to the Senate as well as to the colleges. That would allow this body to make judgments and make recommendations concerning budget distributions. He said that he had nothing against the University Well-Being Committee, but it seemed to him that the Budget Committee was better equipped to handle this particular problem. In fact, he said that he would suggest that the second motion, the faculty workload policy, go to the University Well-Being Committee.

The amendment to send this matter to the Budget and Planning Coordination Committee carried.

Senator Green moved a two-fold amendment: first, for the purposes of this study, that the Budget and Planning Coordination Committee avail itself of all previous studies and work that had been done on this issue; and second, that the committee bring to the Senate a series of findings and recommendations for its consideration. Seconded by Senator Newman. The amendment carried.

Senator Marquette thought that a deadline was appropriate and moved to amend so that the Budget and Planning Coordination Committee report to the Senate no later than the regular April meeting. Seconded by Senator Glaser.

Senator Newman said that he would rather have the committee make that decision based on the information they have. It was difficult to give them a time limit without knowing what information was out there. Chairman Gerlach observed that there was no indication here by this motion that anything definitive be reported. It could perhaps only be a progress report. There was consensus that a progress report would be sufficient. The amendment to add a time constraint carried. The thrice amended motion to commit the salary equity study to the Budget and Planning Coordination Committee carried.

B. Study Faculty Workload Policy - Senator Oller said that in keeping with what was just done and trying to use a standing committee of the Faculty Senate to deal with the question of the workload, he disagreed with Senator Green and suggested that it go to the Academic Policies, Curriculum and Calendar Committee, perhaps the Policy and Calendar subcommittee of that committee rather than the University Well-Being Committee since it was an academic policy issue. He so moved. Seconded by Senator Richards.

Senator Glaser said that in this case, it was important to set a deadline because the State mandated a policy by May of 1994. He moved to amend that the Academic Policies, Curriculum and Calendar Committee report to the Senate by the regular March meeting so that the Senate can consider it and make its position known to the administration. Seconded by Senator Hariharan.

Senator Oller said that since he was the Chair of the Policy subcommittee and would have to be dealing with this, he had a question. The statement said "guidelines are being developed by the Ohio Board of Regents. These guidelines must be completed by January 1994." Were those guidelines what the Board of Regents would be presenting so that the subcommittee would have help in making its decision? Vice President Auburn answered that the Provost was serving on a state-wide Board of Regents committee that was drafting guidelines. Those guidelines were due in January and would provide additional information that should not stop this body from beginning its consideration.

The amendment to add a deadline of the March meeting carried.

Senator Green moved to amend so that the committee would avail itself of all previous studies that might have been one, on this topic and second, that when it makes its final report, it would bring a set of findings and recommendations to this body for its consideration. Seconded by Senator Edwards.

Senator McGucken wondered if the amendment was necessary. It was his understanding that in the old University Council and in this body that every committee would, one, do its homework, and, two, make a full report to the Senate. He thought that was understood so that for today and for the future this amendment would not have to be made every time a committee was directed to do something.

Senator Green commented that the Senator had an excellent point, but in keeping with his opening remark that the tone and language of these two proposals seemed to suggest that the administration was directing the Senate to do particular works and that these particular works would be mainly of an advisory nature, it seemed to him that it was clear to set precedence that such committees operated at the request of the Senate; that they reported to the Senate; and that the Senate took action on their activities. Hopefully, in the future this would become so well understood that this type of language would not come from the administration.

Chairman Gerlach observed that as Dr. Johnson once said "People need not so much instructed as they need to be reminded."

Senator Midha requested a point of clarification. He noted that a memo from Provost Jamison said that he had already appointed a committee and he asked if Senate would like to add more members to it. He said that the Senate wanted to take it into its own hands. The subcommittee already included the members that the Provost had appointed from different colleges and this would be the only committee which would look into the workload policy. Chairman Gerlach observed that it was hard to tell the Provost that he could not go forward with a committee but it would seem foolish to do so if the Senate took this action.

The amendment to so instruct the subcommittee carried. The motion to refer the study to the Policy Subcommittee of APCC carried.

ITEM NUMBER 5 - PROPOSED AMENDMENTS TO THE FACULTY MANUAL RE: DEPARTMENT HEADS - Senator McGucken moved that the Senate approve the proposal as circulated and recommend it to the President for her recommendation to the Board of Trustees. Seconded by Senator Clements.

Senator McGucken said that the rationale stated that the university was in a new phase of its life where more and more influence was being given to the faculty. This idea that it would be nice to have department chairs as opposed to department heads had been around for a long time. And so this proposal came up in the history department. He said the way they decided to proceed was to take the current Faculty Manual and modify it in as few ways as possible to bring about the transition from HEAD to CHAIR. He called the Senate's attention to item number 4 on page 2. The idea was that the chair would ordinarily be appointed for a 3-year term which might be renewed. The idea behind this was that the University was concerned with teaching and research. Under headships there had been permanent administrators in several cases. This proposal would allow someone to give up their research and teaching duties for about 3 years to give service of an administrative nature to the department and then return to research and teaching. If the particular department was happy with the service of the individual, and that individual did not mind doing more administration, then the term could be renewed for another 3 years. He continued by saying that the fourth page seemed to not carry any major change. But the two paragraphs of old item C looked as if it had been amended by several committees many times over many years. It was rather confusing. What the authors attempted to do was tidy up the ideas that were included in those two paragraphs. So there was really no substantial change of any importance in the proposed substitution in paragraph C.

Senator Newman moved to amend so that there would not be more than two consecutive 3-year terms. Otherwise, he said, if there were third or fourth consecutive terms, the same situation would exist. Seconded by Senator Edwards. Chairman Gerlach said that this could be inserted on page 2, small roman numeral 4, "the chair shall ordinarily be appointed for a 3-year term, which may be renewed but not to exceed two consecutive terms."

Senator Marquette said that as a basic opponent to term limits in principle, he agreed with the idea of terms with votes to be held on a regular basis. He thought that there had been too much of the long-term department heads, himself included. However, there were certain circumstances where department heads needed to continue or where one person seemed to have the backing of most of the department and where there were no clear successors. A department should not be forced into disarray if the department were perfectly happy to have someone continue. They should have to vote but if the vote was to let the person continue that should be allowed. Further, this procedure could take what was a perfectly

functioning department under one leadership and turn it into a real mess. He strongly supported what Senator McGucken had proposed but he thought that the idea of term limits might force some very bad decisions on departments.

Senator Sterling noted that the proposal seemed to eliminate substantive review by deans and faculty, and he wondered what could be done if a change was desired after one or two years.

Senator Laconi stated that the proposal showed a general lack of understanding of the C&T college. He would like to see the C&T college removed from the proposal and there were many reasons for that. Number one, half of the duties prescribed in the proposal for department heads were responsibilities of coordinators within the C&T College. Secondly, the proposal would require a lot of searches. He said that searches were very expensive, especially national searches, in terms of faculty man hours. Thirdly, there were many division chairs or department heads that were brought to this campus by a national search less than 3 years ago. He thought that there might be some legal implications here with these people because they were never told about a 3-year term. If the C&T College were to stay in here, he said the term should be for coordinators, not for division chairs. In Business Technology for example, the division chair handled 7 different programs, and under all 7 of those programs there were probably 5 different options or degrees under that. If a person came in, in 3 years, there was no way that a division chair was going to get all that information, nothing would be done. The C&T College would be in total chaos.

Senator Midha said that he was concerned about number 4, the idea of having a national search during the third year. If someone came from outside who took one year to understand the system and then the third year a department had to have a national search committee again. Further, he thought it was very difficult to have two-thirds of the vote, particularly in these hard times.

Senator Hariharan thought that term limits should be for no more than 2 terms, 6 years. This was a very, very important thing. No department head should be department head for more than 6 years.

Senator Harris stated that she was opposed to term limits. First of all, if the entire document was reviewed, perhaps as it was in the Faculty Manual, she saw it as incredibly violative of employment law. She thought that it should be checked regarding its legality in terms of how such parameters could be placed on people. What was being proposed was to place people at the whim of the personalities of the folks in the department rather than whether they were doing their jobs.

Senator Newman said that 6 years was a long time to be in the position of department head or department chair. If a person was in a position that long, they tended to lose sight of some of the other situations. When a person was forced into that position even if they were negative initially, they became more sensitive to what was required of that position. So some faculty members that were very anti, that did not understand what a department chair was doing, when having to sit in that position, would become more supportive. It would make the department more cohesive. There was nothing so unique and special in personality that only certain people could be a department chair. He agreed that some were better than others, but if a person was not doing a good job, he could be removed after a year. He did not think they had to be there a full year. Also he did not think somebody could be hired as a department head and assumed that they were going to be department heads indefinitely. If they were employed and hired as department heads then he doubted if any contract said that they could not be removed from that position.

Chairman Gerlach asked if it were correct to assume that a search committee was simply a step in this whole scheme of things which could possibly engage a search from within the very department on the grounds that no outsider could be hired because of fiscal constraints at the moment. The search committee's job would probably be to find someone from within that department or division, or whatever, to propose. Was that correct?

Senator McGucken stated that the principal idea was that at the end of 3 years the sitting department chair would no longer automatically continue. And a search committee for his or her successor would be formed. The question of term limits came up in this discussion and the idea was that this proposal put control into the hands of the faculty. It would be much better to leave it up to the conditions and to the thinking of the people within the department 6 years from now. If they were quite happy and the candidate wished to continue for a third or fourth term, then that was their decision and it goes back to the faculty at that time.

Senator Aupperle thought that the amendment represented a populist notion and for a university body he would support that. A University was supposed to, in his opinion, reflect a populist perspective and limits would seem to be in order. However, it seemed to gravitate toward individuals if they were in the position very long and if a department was unhappy as Dr. Marquette suggested it might be that there was no other leadership to emerge he thought that said something about the administration of that college and the university because the job of the university leadership and the college was to develop leadership. If a department only had one leader, that spoke poorly of the university, the college, and that department.

Senator Clinefelter wanted to know if this department head/chair document was meant to apply to those colleges who had coordinators, such as C&T, Law and Nursing.

Chairman Gerlach read a paragraph on the first page of the proposal: "Department heads would be changed to chairs; division chairs in the C&T and directors of schools in the College of Fine & Applied Arts, and the College of Business Administration."

Senator Perry commented that, first, he was in favor of the title of chairs rather than department heads and he thought term limits were a good idea. But present department heads were creatures of the administration. He suggested taking one step at a time to change from heads to chairs with this review process; seeing how that worked; and, as time passed, if it looked like it was feasible to impose term limits, then that should be considered as a separate issue.

Senator Wright favored term limitations. There was nothing that said that a person could not be out for two years and then come back in if it was the will of the body. She said that during her short tenure here at the university she had seen a lot of stifling, if you will, of leadership; of people sitting on positions and other individuals not having the opportunity to move into those positions that they could fill competently. So she supported term limitations.

Senator Edwards moved to call the previous question. Seconded by Senator Dilts. The motion to close debate carried, 34 - 6. The motion to amend section IV so that it would read "appointed for a 3-year term which may be renewed but not for longer than two consecutive terms" was defeated.

Senator Marquette moved to amend section 4 "during the chair's third year, a search committee should be elected" to say that "if on review, the current Chair is not renewed, the search committee would be appointed." He saw no reason to appoint a search committee and expend all that effort if the department decided to keep the chair. Seconded by Senator Midha.

Senator Hariharan said that he would like to see this stand as it was mainly because at the end of the third year the department had a vote naturally. If the Chair was not doing a good job, he had other things he could look for. The Department Head would definitely be evaluated and this enabled the committee to look into other alternatives the following year.

Chairman Gerlach restated the amendment. It would replace "during a Chair's third year a search committee shall be elected as above" with "during the Chair's third year, if on the vote of the department a decision is reached not to reappoint, a search committee shall be elected as above". The amendment carried.

Senator Sibberson said that he would like to make 2 changes to the same paragraph. He would like to strike the term "ordinarily" because he thought that should be a 3-year term, concrete. Secondly he would like to add the sentence that was being removed "the Dean shall assess annually the performance of the department Chair."

Chairman Gerlach wanted to handle these in two separate steps instead of combining them. First the motion to strike out the word "ordinarily." Seconded by Senator Sterling. The motion to amend carried.

Senator Sibberson said that his other point was to reinsert that "the Dean shall assess annually the performance of the department Chair". Chairman Gerlach commented that the amendment was to retain that sentence except for the word Head and change the word Head to Chair. Seconded by Senator McGucken.

Senator McGucken said that he seconded the amendment because when he was reading over this again he thought it had been an error to delete it.

Senator Newman asked when this would go into effect if it passed. Chairman Gerlach replied as soon as the President approved it or with the approval of the Board of Trustees.

The amendment to retain the words "the Dean shall assess annually the performance of the department," now "Heads" changed to "Chairs" carried.

Senator Gunn said that she wanted to hear from the History Department as to why they want to turn Directors of Schools into Chairs. She thought that a school was a somewhat more complex organization than a department. They had been a department of Home Economics and were now a school of Home Economics mainly because they ran about 9 different degree programs. They were not big enough to be a college but they were much more complex than a department. Their director was in charge of 7 undergraduate degree programs and 5 graduate options.

Chairman Gerlach observed that in the Senator's case and in her college, the word "chair" was not being imposed on them, but what applied to Chairs would in that case apply to the directors.

Senator Sterling asked if the tally, mentioned at the top of page 3 could take place at any moment during the 3 years? Senator McGucken said yes. Senator Newman asked if it could be made clearer. Senator McGucken replied that it listed what was currently in the Faculty Manual and substituted Chair for Head.

Senator Sterling stated that a 3-year term had been imposed. Did this apply at the end of every year? He read it to mean only at the end of the retention of the 3rd year. Senator McGucken did not understand why he read it that way because upon the specific request of a majority of the full-time faculty members, no time limit was specified. Senator Newman asked if "at any time" could be inserted. Senator McGucken said he would not oppose that but he thought it was satisfactory as it was.

Senator Sterling moved to amend section 5 to change "the" to "any", "...upon any specific request." Seconded by Senator Newman.

Senator Kimmell proffered that it would read better if it said "at any time upon the specific request of a majority." Chairman Gerlach confirmed that this was accepted as a friendly amendment.

Senator Clements said that she did not think that language improved the document and she thought it was a red flag, and would cause problems when the document was reviewed. It seemed to her fairly clear that item 4 introduced a 3-year cycle and item 5 was not connected to that in any kind of grammatical or logical way. It was a separate procedure to address issues, and the phrases used on the next page that the dean shall remove a Head or Chair if the vote indicated a manifest lack of confidence in that individual. She thought that the language might make Heads or Chairs subject to the random assault of disgruntled faculty. She did not think that was the intent of this document nor would it be the consequence of these procedures. But she thought that it was important to use judicious language and that was not judicious language.

The motion to amend failed.

Senator Glaser said that when a University had chairs rather than heads, he believed that the presumption was a kind of rotating Chair, that members of the department would take turns serving as Chair. He wondered if there was a presumption in this document that there would not be outside searches for a Chair. And the term "search committee" always suggested to him a national search. He heard a divergence between a desire to have a national search, which would include candidates from ^{outside} all sides of the University and a desire to keep the Chair spinning around among the members of the department. He asked Senator McGucken for clarification.

Senator McGucken said that as it was written it would allow for those various possibilities. But there was no specific design or plan in the minds of the History Department when this was put forward. So one could have a national search and bring in someone from the outside, or if a department wanted, they could decide that they were only going to have 3-year terms in their department and were going to have it rotate.

Chairman Gerlach observed that there were some departments in this University which had operated on a rotating basis with the full understanding of the administrative authorities.

Senator Patton said that she was having some difficulty understanding this whole discussion about department Chairs because in the College of Nursing they did not exist. There were coordinators. She was still unclear about how this document affected her college. Chairman Gerlach commented that the existing Faculty Manual did not take into account anything like coordinators either. Evidently they were not regarded as the equivalent of a Chair or Head or a director of a school. The division Chair in the C&T college was covered, but nothing like the coordinators. The coordinators in the College of Nursing, it seemed to him were not currently covered under the Manual, therefore they would not be touched by this either.

The motion to adopt this policy as amended carried, 33-9. (Appendix A)

ITEM NUMBER 6 - PROPOSED AMENDMENTS TO SENATE BYLAWS - Chairman Gerlach noted that the next items on the agenda were nothing that could be voted on today. They had been placed on the agenda and by requirement of our Bylaws remain laid over for 30 days. But they would be ready for a vote on December 2. The Chair wanted to know if the Senate would like to discuss any of these and perhaps clear the way for decisive action without further discussion on December 2.

Senator Marquette said that there was quite extensive discussion during the debate in Council regarding item 6A, the President and Vice President as opposed to Chair and Vice Chair. He said he would like to know the providence of this amendment and why, since the Council had just adopted Chair and Vice Chair, there was an effort to change the titles back. He wanted to give some thought to that topic between now and December 2.

Chairman Gerlach acknowledged that he was one of the principal instigators of this but it came from the Executive Committee collectively. He said that the word "Chair" was in some circles deemed to be infelicitous. It was an object of furniture. Furthermore, the word President was certainly gender neutral

and so was Vice-President. Third it, had been the Chairman's observation that since the Senate had been under way, everyone had been referring to him orally and by correspondence, as the President of the Senate. He noted that the presiding officer of the United States Senate was the Vice-President of the United States who was nonetheless President of the Senate. Finally, he thought the terminology President would be advisable because it added a certain dignity which would be much more in keeping with what was hoped to be the demonstrable dignity of the Faculty Senate.

Senator Perry said that his personal inclination towards the difference between President and Chair or Chair-person, -man, -woman, whatever, was that Chair indicated one among the colleagues who served a certain function. And that he thought was the role of Chairman Gerlach and the Vice Chair as well. A President called to his mind someone who derived his office independently from the fact that he was one of the colleagues. The President of the United States Senate was also elected by virtue of being on the President's ticket so he did not derive his position from the fact that he was elected by the other Senators. He preferred the term Chair rather than President.

Senator Focht wondered if an amended set of current Bylaws was available, and if so, where? Chairman Gerlach replied that the only one he was aware of was in the Provost's Office.

Senator Focht asked what the clarifications were that were made at the first meeting. Chairman Gerlach replied that because of the actions of the Board of Trustees, certain changes were required. The opening paragraph, a kind of preamble, had been deleted by the Trustees on the 22nd of September. The other thing that they thought was inappropriate was to accept roman numeral I, on page 6. This dealt with legislation sent to the Board of Trustees becoming effective within a certain time unless the Board disapproved. The Board informed the Senate that they had to take action one way or the other. The next item had to do with the section on membership of the Senate; on page 15, Bylaw VII, B, 3., "The contract professionals shall elect 2 representatives from their membership" was the way it now read. The language designating instructional contract professionals was deleted. Those were the only changes that he knew that had been made to the Bylaws. He said these other proposals had surfaced since that time. Some of them were obviously more important than others. Item C and item D on the agenda were quite substantial. He trusted all members had received that material.

Chairman Gerlach stated that on the back of the agenda for the December 2 meeting was another proposed amendment to the Bylaws, regarding the procedure for run-off elections.

Senator Fowler inquired about the origin of item D; was it the budget report? Chairman Gerlach said it was. It was submitted at the time Senators Green and Marquette made the proposal about assessments; the allocation of money, that could not be acted on it because it had to be placed on the agenda and then laid over for 30 days before taking a vote. Another interesting thing your Chairman has noted was that next time when voting on these bylaws the requirement was that the vote be by ballot.

ITEM NUMBER 7 - ADJOURNMENT - Senator Wright moved to adjourn. Seconded by Senator Harris. Motion carried, and the meeting was adjourned at 4:45 p.m.

Respectfully submitted,
David R. Brink, Secretary

APPENDIX A

Rationale: At this stage of The University of Akron's evolution, the former University Council, consisting of faculty and administrators, has been replaced by the Faculty Senate. As that change was in its early stages the University acquired its first female president, who both in word and in deed has supported enhancing the role of the faculty in the governance of the University. In this atmosphere of change, and in keeping with the new emphasis on strengthening the faculty's role, now would seem to be the appropriate time to implement the widely-held and frequently-expressed faculty wish to have chairs in lieu of heads within departments.

Section 3359-20-02 (b) (5) of the Faculty Manual as indicated below. Deletions are indicated by ~~strikeout~~, additions in **bold type**.

Department ~~heads chairs~~, division chairs in the Community and Technical College, and directors of schools in the College of Fine and Applied Arts and the College of Business Administration (hereinafter referred to as "department ~~heads chairs~~").

- (a) Department ~~heads chairs~~ are appointed by the Board upon recommendation of not less than two-thirds of the regular faculty members of the department or division, the dean of the college, the Provost, and the President; hold office at the discretion of the President; are responsible to the deans of their colleges; and are ~~responsive to the needs of, and advocates for, their~~ **representatives of the departmental** faculty. They are the administrative heads of their respective departments, divisions, or schools (hereinafter referred to as "departments") and are charged with the general supervision of all departmental interests in accordance with policies established by the Board, the President, their dean, their faculty, and the ~~University Council~~ **Faculty Senate**. Both the administration and the faculty will bear in mind that department ~~heads chairs~~ have special obligations to build departments strong in scholarship and teaching capacity.
- (b) Department ~~heads chairs~~ are selected and shall hold office as follows:
 - (i) The Search Committee is elected by the regular full-time faculty of the department and may include members from outside the department. It may also include a student or students selected by the appropriate student body.
 - (ii) The Search Committee makes its recommendations to the regular department faculty who, with the agreement of not less than two-thirds of the regular departmental faculty, in turn recommends a candidate or candidates to the dean of the college.
 - (iii) If the recommended candidate is not available, the dean requests that the department recommend another candidate. If the nominee is not acceptable to the dean, the Provost, or the President, an explanation of the objection shall be reported by that administrative officer in a meeting with the ~~Search Committee~~ **regular full-time faculty of the department**, and the search process shall be resumed.

- (iv) The dean shall assess annually the performance of department heads chairs. At intervals not to exceed four years, or A chair shall be appointed for a three-year term, which may be renewed. During a chair's third year, if on the vote of the department a decision is reached not to reappoint, a Search Committee shall be elected as above and the above procedures shall be followed.
- (v) Upon the specific request of the a majority of the full-time regular faculty members in the department, the dean shall initiate a substantive review of the department head chair following procedures similar to those used in the initial appointment of a department head chair, including a yes-or-no secret ballot of all of the department's regular faculty on the retention of the department head chair as head chair. The ballot shall be taken and tallied at a meeting of the regular faculty called to consider the retention of the department head chair as head chair. Absentee ballots are permitted. A recommendation reporting the tally of the vote shall be sent by the regular faculty to the dean. If in the judgment of the dean this review reveals that the interests of the department will be better served by a replacement because of a manifest lack of confidence in the department head chair, or of unresolvable departmental problems, or for other sufficient reason, the appointment of the head chair shall be terminated, and a new head chair shall be appointed according to the provisions of the Faculty Manual.
- (v) (vi) In exceptional circumstances where the department is unable to resolve its leadership problem or where the dean considers that there are serious questions concerning academic standards, the dean shall designate an acting department head chair to serve a specified term, and a search committee shall be established.
- (vi) ~~Each college dean shall conduct substantive reviews of all department heads in the college within a four-year period.~~
- (c) ~~Each department head is responsible for recommending changes of curricula in the department and for improving the quality of instruction in the department. The department head works with the dean, the Associate Provost and Dean of Student Services, and the Dean of the University College concerning the registration of students in the department and policies of admission to the degree-granting colleges. In conference with the dean and in accordance with appropriate guidelines established by the departments or divisions and colleges concerned, the department head recommends reappointments, non-reappointments, promotions, tenure, salaries of the faculty of the department, and new appointments to the faculty of the department, in accordance with the procedures outlined in section 3359-20-03. With the dean, the department head works out details of department and college budget recommendations. The department head recommends to the dean the dismissal of members who are not on indefinite tenure; and follows the same procedure as in appointment and promotion in recommending dismissal, for cause, of department members who are on indefinite tenure. The department head is responsible for recommending the purchase of books, journals, and other library materials and for seeing that the departmental section of the University Libraries is kept up to date. The department head advises the departmental faculty and meets regularly with them to shape the department's educational practices. The department head is the reporting link between the faculty and the dean.~~

As the department's representative, the chair articulates and implements departmental policy and goals and communicates within the University on behalf of the department. The chair consults with the departmental faculty and meets regularly with them to shape the department's policies and goals. In consultation with the faculty and the dean, and in accordance with the appropriate guidelines established by the department or division and college concerned, the chair makes recommendations on the appointments, reappointments, promotions, tenure, salaries, and leaves of absence for faculty members in accordance with the procedures outlined in section 3359-20-03. In making

recommendations on dismissal, for cause, of department members who are on indefinite tenure, the chair follows the same procedures as in appointment and promotion. The chair works with Student Services to register students within the department and, in consultation with the faculty, arranges teaching schedules and curricular developments so as to ensure quality of instruction. The chair coordinates the department's responsibility for ensuring that the departmental section of the University Libraries is kept up to date; administers the department facilities and operating budget; and hires and supervises the non-teaching department staff.