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The University of Akron Faculty Senate Chronicle

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## Faculty Senate Chronicle December 3, 1998

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Any comments concerning the contents in The University of Akron Chronicle may be directed to the Secretary, Dr. Gary Oller (+1910).  
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**MINUTES OF THE REGULAR FACULTY SENATE  
MEETING OF DECEMBER 3, 1998**

The regular meeting of the Faculty Senate was called to order by Chair Barbara Heinzerling at 3:00 p.m. on Thursday, December 3, 1998, in Room 201 of the Buckingham Center for Continuing Education.

Fifty-three of the sixty-four members of the Faculty Senate were in attendance. Senators Kennedy, Ozanich, and Tausig were absent with notice. Senators Dhinojwala, Dubick, Gill, Gilpatric, Ofobike, Reed, Ritchey, and Wright were absent without notice.

**SENATE ACTIONS**

- \* ELECTED A NEW VICE CHAIR**
- \* APPROVED THE 1999-2000 ACADEMIC CALENDAR AND THE PRELIMINARY ACADEMIC CALENDAR FOR 2000-2001**
- \* APPROVED THE CONFLICT OF INTEREST, CONFLICT OF COMMITMENT, SCHOLARLY MISCONDUCT, AND ETHICAL CONDUCT POLICIES AND PROCEDURES ALONG WITH A STATEMENT OF PRINCIPLES**
- \* APPROVED A RECOMMENDATION FROM THE UNIVERSITY WELL-BEING COMMITTEE ON GROUP HEALTH INSURANCE**
- \* APPROVED RECOMMENDATIONS FROM THE CAMPUS FACILITIES PLANNING COMMITTEE REGARDING HAZARDOUS WASTE REMOVAL AND POLSKY'S**
- \* APPROVED AN AMENDMENT TO THE FACULTY MANUAL REGARDING TENURE**
- \* APPROVED A MOTION REGARDING THE \$500.00 ALLOCATIONS PER FACULTY MEMBER FOR COMPUTERS**

**I. APPROVAL OF THE AGENDA** - The Chair stated that the minutes for November 5 were not yet available, so the body would only be approving the October 8 minutes. Furthermore, because of several major topics on the agenda, she proposed that the committee reports be given by title and any written reports would be presented in the next edition of the Chronicle. Finally, because there were three rather large items to be discussed - the conflict of interest, the hazardous materials recommendation, and the University Well-Being report on health care - she asked that the Senate allow the reports of University Well-Being and CFPC to go down to item VII under unfinished business. Senator Peggy Richards moved that the three reports be moved to unfinished business, and this was seconded by Senator Chand Midha. The body then gave its approval to the amended agenda.



**II. CONSIDERATION OF THE MINUTES OF OCTOBER 8, 1998** - Secretary Gary Oller stated that he had no corrections. Since there were none from the floor, Senator Elizabeth Erickson moved the approval of the minutes, and this was seconded by Senator Tim Norfolk. The Senate then voted its approval.

**III. CHAIR'S REMARKS** - The Chair informed the body that Dr. Richard Gigliotti had gone into the hospital that morning at 5:00 a.m. for an emergency appendectomy. She had called the President's office for information, and apparently he was doing quite well. On behalf of the Senate, she wished him a speedy recovery.

Next, the Chair wanted to take a couple of minutes and express the appreciation of the Executive Committee and the Senate to former Chair Devinder Malhotra. She knew that she spoke for the entire body when she said that it had been a real pleasure to work with Dr. Malhotra for the last 18 months. First of all, she really enjoyed his sense of humor and his willingness to laugh and share laughter with everyone. In addition to that, she had found him extremely willing to share ideas and explore those of others. She believed that the Executive Committee had enjoyed very much of a team spirit because of Devinder's guidance. There had been a real sharing of ideas and working together. For the Faculty Senate as a body, Devinder had represented an excellent model of shared governance. He shared his ideas in a very non-combative way, but he was very persistent. Those who had dealt with him knew what she was talking about. He had a real willingness to work to further both the faculty and the University's position. Also, he had a tremendous respect and willingness to listen to those who had opinions different from his own, and he was very persistent in his efforts to advance the faculty viewpoint and to tackle those issues which he believed to be very important for the faculty. He had left a challenge for all of us to try to do the best we could in the name and spirit of shared governance. She thought the body wished him the very best as he started his new job come January. She asked for a round of applause, which the body then heartily gave. Senator Malhotra thanked her for the kind sentiments.

**IV. ELECTION OF VICE CHAIR** - The Chair stated that the floor was now open for nominations for Vice Chair to fill the remainder of her term. Senator Midha nominated Senator Bill Rich, and this was seconded. Senator Erickson nominated Senator Dan Sheffer, and this was seconded. Since there were no further nominations, Senator Malhotra moved that they be closed and this was seconded by Senator Mike Cheung. The body then voted by secret ballot. While the votes were being tallied, the Chair continued with the agenda.

## **V. REPORTS**

**REMARKS OF THE PRESIDENT OF THE UNIVERSITY** - The Chair recognized President Marion Ruebel, who made the following remarks:

"Thank you, Madame President. This is your first meeting, and we're ready to give you time to make mistakes. This is my last meeting, so give me time if I make a mistake. Thirty-three months ago I pulled up in this parking lot, some of you will remember, and I parked my car and said to a student assistant, 'I'm Dr. Ruebel, if I park my car here will they tow it?' She said, 'yes.' So today I



pulled up and Dr. Leathers was with me and he was kind enough to get out and move the cone and said, 'Enjoy this, as it's the last time I'll move the cone.'

I think that together as an institution and as the Faculty Senate we've made some headway in the last 33 months. At the very least, I think we're talking to each other. I've always enjoyed the dialogue with the Executive Committee of the Senate and I think this is very important. Whether we agree or disagree doesn't make any difference, but when you quit communicating with each other I think you've got problems as a group and from the administrative perspective, so I take that as a plus.

I think along with this we have implemented some major initiatives together that I just want to mention that are not completed yet but are in the process. We've taken steps forward with the master academic plan; we've taken steps toward the campus development guideline. Our creation of 200 full academic scholarships will come to fruition much before we anticipated it would. The Medina link - this year we will get \$3.5 million more from the state for the continuation of this program, and I think this probably will be ongoing.

I feel that our enrollment has stabilized. I was informed in the Executive Committee meeting last week that the enrollment had gone up two presidents ago, one president ago it went down, and now it's started back up. I asked whether that meant I can take credit that it went up, and they said, no, you can't take credit for it. But I think demographics indicate to us that the dip is over and we can look forward to this coming forward now.

We're pursuing both Carnegie Research II as an institution as well as a Carnegie Teaching Academy at the same time. This is the only institution in the country that has attempted both of these at the same time. Carnegie is watching us very closely with this because if we're successful, this will be a model for other institutions trying to do this. I think you're to be congratulated for taking on this undertaking. I might add that this idea evolved from the Council of Deans and then went through the process. Fifteen faculty members will make up the core of this committee and this is where it should be, with the faculty members, and then this committee will expand as we go along. So I feel that this is an example of how we can do most anything we want if we come together as an administration, as a faculty, as a staff, and as a student body. Without a doubt in my mind, I think by 2004 we will have both of these categories. I think this is something the institution can be very proud of.

As Devinder would say, I don't want to get mushy about this, but I want to single out one of my colleagues for special recognition. On behalf of The University of Akron and very much on my own behalf I want to thank Dr. Noel Leathers for coming back, because his tireless and steadfast efforts have truly helped us. Noel, I want you to know that I appreciate this from the bottom of my heart that you've really been a tremendous help to me.

It's been a pleasure for me to serve the University in the many different roles I've had, and these past 33 months have been no exception at all. I personally want to thank you for your support, your friendship, and I offer you my encouragement and very best wishes and my promise to continue to help our University in any way I possibly can. Thank you."

At the end of his remarks, the President received a round of applause.



REMARKS OF THE PROVOST - The Chair introduced Provost Noel Leathers, who gave the following remarks:

"Thank you very much. Just a couple of things to add to what President Ruebel was saying. There are still some things in process, as he said. There's been a great deal of interest, not necessarily on the part of the faculty, but certainly of all the other employees across the campus - contract professionals, staff, without whom we couldn't operate, and that is the progress of this salary compensation study being done by Mercer.

As of Friday last week, everything has been assessed and evaluated and is back in the hands of Mercer at their headquarters in Louisville where they do all the calculations and data run-through on comparable schools and salary ranges and scales and so forth, and they should be back hopefully some time this month with a review of that. This is the second time this has gone through, and they went through it all and our group went through it, the original five plus a committee, who are bound to silence. I don't even know who's on that committee, but they are from the campus and represent all groups. They've gone through this with training by Mercer, so they've had their shot at it and this will come back to us in a generalized form I'm sure some time this month. We'll then begin to get some idea of the ranges of what's involved and what it's going to cost to make these upgrades.

Some time in January this will be finalized, and it is our hope, and the President and I have talked about this and have mentioned this to the Executive Committee of the Board of Trustees, that we want to make the effective date January 1, so that even if it doesn't get approved by the Board until January 25, we can predate the effective date of these changes in classifications back to January 1 so there won't be any loss at that point. I think as far as I can tell right now, we'll be able to accomplish this and do it at one time. I'm talking about financially and so forth, I think we can bring this about.

The other thing that's happened that there's some concern about is two paydays, one in December and the one in May. I know Mr. Nettling put out notices several months ago that there's going to be this change, and I want to explain the reason for it. The reason is that we're operating on a tight schedule to get the Year 2000 things in place, and I want you to understand that the Year 2000 conformity will not occur on December 31, 1999. If we don't have some systems in place by April 15 or June 10, we won't be in conformity because the programs will ride on forward. So we've made some adjustments in the scheduling of the work to date back so that as each one of these fail-safe days occurs next year in 99, we will not only have it done but will have it pretested so we can move along smoothly.

In so doing with the Peoplesoft system, right now they'll fine-tune it to change those scheduled dates however it works in the system, and I'm no computer expert, but I understand that this will take some fine tuning to change those two end-of-the-month regularly scheduled paydays. So for this year at least we have to go in a sense with the December and the May checks coming out at the end of the month. If everything gets through next year, maybe we can fine tune it and make the readjustment back to the way we've done it in the past. But for now bear with us, this is a necessary step at this time.

Another thing we are doing is looking at the part-time policy that was adopted last year after 2 or 3 years of working on it. We set up categories, loads, maximum hrs., set up schedules, whether



continuing or renewable, and compressed the five categories of lecturers down to three. In administering it the first time this semester, by pretty solid judgment of people working with it, it's almost impossible to handle. We're going to make some adjustments, one set of adjustments for the second semester, and Dr. Blosser and people in HR, payroll and so forth, are working on this and trying to come up with a system to at least facilitate the work for next semester. Then during the next semester we will be taking the inventory of everything and talk with everyone possible to see whether we can come up with a better way to build a mouse trap, so to speak. So I just want you to know that it is being done, but I think it's being done for good reasons and will help us move things along.

The only other thing I want to mention to you is something that's in progress, and that is the conflict of interest policy, as it's something you've all been concerned about. Just in the way of background, in 1985 there was a request from the federal government about our conflict of interest policy, research and so on, and they found that we didn't have any. Somehow it never got done. So with the December deadline looking at the University at the time, I've been told that the President asked Dr. Sylvester to write a policy as an interim policy, and the President signed it and sent it in and said this is our policy. We have been operating more or less under that policy for the past 13 years, which is in a sense kind of a strange configuration. All of these things eventually come to a head.

Last year the department chairs forwarded a document indicating their recommendations about a conflict of interest policy when we adopted the idea of going to Research II to get these things in shape. The regulations of the Ohio Ethics Commission and state laws in the Department of Administrative Service regulations and the federal regulations are things that are in there that we really have no choice about. I think it's very obvious that in order to get federal grants, we have to have these things in order, and I know there are differences of opinion about this. But it's been through the Council of Deans, the PBC has seen part of it, I know the chairs have responded to it, and I know that this body appointed a committee headed by Prof. Falk to work on this, which they've been doing over several weeks in discussions with the research office and so on. There are of the Falk committee report, a rewrite of the whole thing, parts of it, and I think more than half of that is included or has been put into the draft of this version that is now expanded.

The new Chair of the Faculty Senate came to my office yesterday and we ran off ten copies of the new iteration of this thing, and there is some background information, some of which I've given you here. I know that you're going to consider these items today. We have included this version I gave to the President to be included in the Board packet, and we intend to discuss this next week with the Board in executive session and to respond to whatever thoughts they may have and what dispensation they wish to make of it.

In talking with Frank earlier about the timing on these things and then with Chairperson Heinzerling yesterday, a suggestion is that there are subsequent to your discussions today, feelings and ideas that there ought to be some changes to these things. If in some fashion you manage to accumulate these and put them together, we will present that to the Board as well. Now the Board may say they want time to study this, they may say they want to approve it. I can't speak for the Board, but I know we need to get a policy in place not only to get the research things going, but to



protect the institution and to protect faculty members. All three go together, and I'm sure there's no one policy that's going to fit all of us.

The original policy was on the web for two months, and Dr. Malhotra got 4 letters, and I think Dr. Wilson got 11 with some duplication in there. So we have found 12 or 13 comments that were made to us about this, and certainly Professor Falk's committee has much of the information and the tone has changed and some of this has been incorporated. There are some things in there that we simply can't change if we're going to find ourselves in agreement with the regulations that are beyond the extent of this campus. So that is an update of where we are and what's going on, and if you have any questions I'll be happy to try to answer them, or to further confuse the issue."

Senator Rich said that the timing of the December and May paychecks was not a subject which he personally cared much about, but he had looked into it when others had raised the issue. It was his understanding that it was in fact not dictated by software at all, and he wondered whether the Provost might either tell the body the basis of his statement to the contrary or whether he wished to look into it further to confirm this.

Provost Leathers replied that he would look into it, but he had been informed very clearly that the Peoplesoft program had to be tied in with the 2000 changes. If we took the 2000 by itself and then did Peoplesoft, we would have to do it all over again. It would improve and move forward some at the same time; a lot of this was rather routine as we made conversions. He understood there was repair of the existing data, which was the old COBOL stuff, and then they would go through the filters and condense it and be able to do things much more efficiently. When you went through so far in a program in terms of these conversions, it went pretty good, but when you started making changes in the program - changes in the Peoplesoft program as to how you handled certain things - there was a discipline involved in this. When you started fine tuning and making exceptions, it would take a lot of time. His judgement had been that we should not take that time away and run the risk of not meeting some fail-safe dates in 1999 to make the needed Year 2000 changes. That had been the overriding issue for us overall and had been the basis for his judgement. It had been discussed widely by people from HR, from the finance offices, from information services, and those who were involved in doing the work from the computer center.

Senator Rich noted that he had served on a relevant committee, and this had not been one of those issues. The generalities which the Provost had just stated were generally true, and they applied to a number of issues but not to this one. This was not a change in the payday; it was a continuation of the status quo. It was his understanding that it was not dictated by the software but rather by the University's financial interests.

The Provost reiterated that he would look into this, but he had been informed that it would require fine tuning to do it the way we had in the past because the Peoplesoft system was set for the regular paydays to occur at the end of the month.

Senator Rich added that we were proposing to issue checks on New Year's Eve 1999, which was not something that you wanted to do if you were concerned about the Year 2000 problem, either because of the University's functioning or more likely because of the banks that were going to be receiving the electronic payments. The Provost noted that this was a good point.



The Chair now reported the results of the election for Vice Chair: Senator Sheffer - 30; Senator Rich - 16; abstentions - 4. Since the Bylaws required that the candidate be elected by a majority of the total membership (64), the body would have to vote again. Senator Rich now withdrew his candidacy in favor of Senator Sheffer.

A discussion then followed regarding the need for another ballot. Dr. Don R. Gerlach, the Parliamentarian, stated the Bylaws required that the candidate be elected by a majority of the membership of the Senate and by "normal, democratic procedures utilizing the secret ballot." Therefore, there had to be another ballot. The body then voted again. The results were Senator Sheffer - 45; abstentions - 0; invalid - 5. Senator Sheffer was elected Vice Chair.

EXECUTIVE COMMITTEE - Secretary Oller stated that to save time the Executive Committee report would be included in the December 3 Chronicle (**Appendix A**).

ACADEMIC POLICIES AND CALENDAR COMMITTEE - Senator Sheryl Stevenson, the Chair, reported that the Committee had met twice, on November 9 and 30, to prepare the 2001 calendar for the Senate's approval and had continued also to discuss the curriculum review process. She then presented the academic calendar for 1999 - 2000 and the preliminary calendar for 2000 - 2001 for the body's approval (**Appendix B**). The Senate then approved those calendars.

CURRICULUM REVIEW COMMITTEE - Interim Vice Provost Jean Blosser, the Chair, stated that she had submitted a written report (**Appendix C**) on two items to which she wanted to draw the body's attention. The first was that there had been a lot of complaints about the curriculum review system on the web, and they were working on this. Secondly, the APCC would be working with the CRC to try to review the policies and procedures and update them for streamlining and efficiency.

ATHLETICS COMMITTEE - (**Appendix D**)

RESEARCH FACULTY PROJECTS COMMITTEE - See **Appendix E** for internal grants awarded.

STUDENT AFFAIRS COMMITTEE - Senator Rebecca Gibson, the Chair, stated that Associate Provost Tom Vukovich was looking for people to announce students' names as they crossed the stage at graduation. If anyone was interested, they should either call her or Dr. Vukovich. (See **Appendix F** for Committee report.)

CONFLICT OF INTEREST COMMITTEE - Professor Frank Falk, the Chair, began his report by reminding the Senate who the members of the committee were. They were Jack Braun (Engineering), Dan Deckler (Wayne), Doug Draher (Student Affairs), Elaine Fisher (Nursing), Jeff Franks (Library), Susan Hanlon (Business), Robert Huff (F&AA), Elizabeth Kennedy (C&T), Timothy Lillie (Education), Paul Richert (Law), and Evangeline Varonis (Part time faculty). He wanted the body to know that these people had collectively put in over 300 hours to produce the document which he was about to present. He asked them to stand, and the body applauded.

Professor Falk stated that he was very proud of the document that the committee had produced. It was an integrated document that consisted of a statement of principles, a policy, procedures for review and amelioration, as well as a set of definitions. It did meet all of the federal regulations and the Ohio Code of Ethics. Specifically, in that regard, item A6 cited what legislation



had been followed, unlike other previous documents and apparently other current documents. He then moved the following: **The Senate recommends to the President that the Principles for the Policy and Reporting Procedures for the Conflict of Interest, Conflict of Commitment, Scholarly Misconduct and Ethical Conduct Draft be accepted as the interim policy with the first annual review to begin Fall 99.**

What was important to remember about the document was that the principles (constituting only four pages) represented the real link between the employee of the University and the policy. Most employees would only have to look at and understand this relatively small document, which provided all the basic information. At the same time, it pointed into the larger policy statement with all the particulars and definitions. Also, the final combined document pointed out that there was a complexity with regard to this subject matter, and there were no possibilities of having a final document at this point in time. We needed to have a document that began to set the right kind of trail for us with an annual review incorporated into the document as a part of the process. If there were a set of documents out there that everybody understood at all universities, we would have that as boilerplate, but that was not the case. This was an area where the federal government, because of what it wanted to do in terms of pushing universities, private industry and government together had created in part, a situation which led necessarily to some honest conflicts. The committee's job here had been to try to create a document which allowed for the amelioration of these conflict situations.

The Committee had also honored what the General Counsel of the University had asked for, and that was to put all the policies that were relevant to the overall conduct of all personnel together in one place with one common set of definitions. That was the reason why the policy was about conflict of interest, conflict of commitment, scholarly misconduct, and ethical behavior. So all of these had been crunched together, but it did provide at least a uniform kind of notion.

Professor Falk then discussed some differences between this document and an earlier one. He had not seen the new amalgamation (mentioned earlier by the Provost), but on November 23 he had met with Interim Associate Provost Ed Wilson and had presented him with this document. Dr. Wilson had gone over it and said that he accepted 60% of it. Professor Falk had pointed out in all seriousness that if you missed 40%, you usually flunked the course. He thought that the committee's document was superior because it reflected the interests of the faculty in a number of very specific ways. This document had major substantive changes, but he was not going to try to go through all of those things here. The Provost had the right to present his amalgamation proposal to the President, but the Senate also had an obligation to present its document and ask the President to listen to its advice. He was willing to answer any questions.

Senator Oller wondered whether in the motion's second line the word "for" should be changed to "and," so it would read "principles and the policy, etc. Professor Falk said that it should be "and."

Senator Sheffer asked for more details about the annual review in Fall 99. What would it entail and was it to review and modify this document? Would nothing be done to it until that time?

Professor Falk answered that it needed to be implemented. Then in the fall a formal review would be instituted and that would include the advice of the Senate as well as other interested bodies. He knew that the Council of Deans, as well as the University Chairs Committee, would be interested in this.



Senator Sheffer also wondered about the draft dated 11/23. Was that the last one and would some of the things which he had found in it - misspellings, grammar problems, vague language - be cleaned up? Professor Falk replied that it was the last draft and the things which Senator Sheffer mentioned would be cleaned up to some extent.

Senator Sheffer had one final question. On page 10 of the conflict policy, the topic headings for 2 and 4 were identical, and the topic headings for 3 and 5 were identical. All were in the same section. What was the difference between these four areas? There were two procedures for determination of potential conflict situations and two sections of procedures for resolution. Should they be combined somehow? What did they address?

Professor Falk answered that they addressed from a slightly different point of view the perspective of the central administration coming down in the latter cases and the point of view of the individual going up, so there were two different perspectives here.

Senator Jack Braun was not certain he had understood what Provost Leathers had said earlier. Had he said that a modified document and not the one which the Senate was debating today had been forwarded to the President for approval with supposedly the Provost's recommendation?

When Professor Falk replied that this was correct, Senator Braun wondered whether the exercise here was one in futility. Professor Falk said that it was not because the Senate had an obligation to advise the President. There were two separate documents.

Senator Malhotra had to commend the committee for the work it had done. Regarding the modified document which the Provost had already sent to the President, he reminded the body that all recommendations from the body went directly to the President. In this case, the President would have potentially two competing documents on his table. If he understood the Provost's remarks that any action of this body would also be presented to the Board along with the other modified document, it was up to the Senate to consider this document on its own merits, deliberate it on its own merits, and present those recommendations on their own merit.

The Chair wanted to add that the Senate's bylaws referred to this as legislation from the body. She had seen the memo from Dr. Wilson to Provost Leathers, and the modified policy was one advanced by Dr. Wilson in his capacity. Therefore, there might be a difference between the two types.

Senator Norfolk had a question regarding the use of the University seal, logo, trademarks, etc. It seemed to him from reading the pertinent section that you could not give your business card to somebody without express permission.

Professor Falk responded that if you were to use it in your consulting as an official statement, that would be correct. For example, in his department a member had been selling some goods, and one of the things that the individual had done was to attach his University business card to that product. Professor Falk had to remind that person that he could not do that because the University was not part of that product line. In the same way, if you were doing consulting as an outside consultant, you represented yourself. You did not represent the University within that context.



Senator Susan Clark commented that there was reference in a number of places that the allowable time permitted for outside consulting was one day per quarter. Was that a reference to fiscal quarter or should that be changed to semester?

Professor Falk answered that if you looked at the definitions in the back, a quarter was three consecutive months, and it referred to that period under which you were under contract. So if you were under contract for 9 months, it only applied to that 9-month period; if you were under contract for 12 months, it applied to that period.

Senator David Redle had two comments. The first related to the definitions. When he had read through this, he had found it very frustrating that there were phrases and terms used, and he had not been sure what was being referenced until he had gotten to the end. If the definitions were going to be at the end, could there be a notation at the beginning of the document that indicated this so that readers would be aware of them. Secondly, whenever we got into disciplinary actions for alleged violations of policy rules, etc., he got very nervous unless University Counsel had reviewed the procedures and accepted them as 1) University policy, and 2) in compliance with any state law or administrative procedure laws that might apply in a situation like that. So with either document, he strongly suggested that there be a clear and full review of policies, investigations, etc., to assure that proper rights of any accused person were granted.

Professor Falk noted that one of the more interesting parts of this document was the fact that in it, as opposed to the previous document, there was specific concern with regard to the protection of individual faculty rights where there might have been an inappropriate accusation. He added that legal counsel always reviewed all documents.

Senator Erickson said that her comment came out of what Senator Sheffer had been saying in relation to everything fitting together. When she looked at the review process, it was not clear to her which committee was going to look at the violation and also review it. It seemed to her that more clarity was needed. Sometimes it was described as "the committee" and sometimes as "the committee of inquiry," and she thought there should be some consistency.

Senator Rich prefaced the remarks that he was about to make by noting that the committee had done the Faculty Senate and the University a great service by vastly improving the proposed policy. The original proposal from which the committee had been working had been way too broad and would have applied restrictions to activities that should not be restricted. He was also concerned about the fact that the Provost had apparently forwarded to the President a document that was different from this one within the last couple of days when it had been known for some time that this body would be considering it and probably voting today on this document. He did not understand why that had been necessary. He wholeheartedly agreed with Professor Falk that it was the body's prerogative and responsibility to consider this document, to approve it if the body thought it worthy of approval, and to forward it to the President. It would be the Faculty Senate's legislation, and it would constitute a proposal for the Board of Trustees to consider adopting.

He did favor the adoption of this document. However, there were a few respects in which inadvertently some language had been changed from the previous document that might in some instance have actually broadened the prohibitions unintentionally. For all of its flaws, the previous document had been relatively well drafted, and one of the respects in which it had been well drafted



was that it was rather careful to define its terms and to use only the defined terms. He thought that a few undefined terms had crept into the current document. They were intended to mean pretty much what the original document meant in these respects, and these corrections could be easily made. He proposed to make them now with a few motions to amend.

Senator Rich said that the first motion which he wanted to make could take care of one whole set of problems from the fact that the original document had used the term "outside activities" and had defined it to include outside consulting activities. He believed the other term had been "outside professional activities," and it had been limited to those two categories. The new document in various places used either just the word "activities" when he thought that it meant outside activities, or in one or two instances, "external activities," which it did not define but he took to mean outside activities. He had identified all the instances in which this occurred and moved to amend the document by changing that language in those various places to "outside activities" which was the defined term. These were all in the policies section - the actual operative policies which were the ones that University employees needed to be concerned about because that was where one's exposure lay from a legal point of view. While the initial statement was a valuable one and helped to educate people about the entire issue, we needed to be most concerned actually with these rules. **He moved that the following places be changed: In section A4a, replace "activities" with "outside activities"; A7 initial paragraph, replace "external activities" with "outside activities"; 7A - "activities" to "outside activities"; 7B "activities" to "outside activities"; 7C in the first sentence two places "activity/activities" to "outside activity/activities"; 8 - first sentence "activities" to "outside activities"; 10 - "external activities" to "outside activities"; 30A "activity" to "outside activity"; 31A - "activity" to "outside activity"; and 31C - the initial sentence, "activity" to "outside activity."** This motion was seconded.

Senator Cheung noted that in A2, activity also had no modifier. Had Senator Rich excluded that intentionally? Senator Rich replied that this one could go either way. Inside activities could not constitute a conflict of interest or commitment, so he had not worried about it, but he would not object if someone wanted to add it. Senator Cheung suggested that Senator Rich accept it as a friendly amendment, and he agreed (A2 replace "activity" with "outside activity").

Senator Annabelle Foos brought up section 8A where there was discussion of who had to complete the report. It stated that employees working less than half-time were exempt from submitting the annual disclosure statement. Was that meant to exclude teaching assistants that had half-time assignments? She wondered whether it should be half-time or less.

The Chair reminded Senator Foos that the body was at the moment discussing Senator Rich's motion to amend. It could certainly come back to her question later. There being no further discussion, the Senate approved the motion.

Senator Rich's second motion related to A7b and c. A7b now read as follows: "All forms of outside activities which do not fit the above category and do involve (a) a time commitment of one day or less (on average) during the five-day, forty-hour work week per quarter of the University academic year or calendar contract, or (b) University employee remuneration of less than \$10,000 from a single source...." **He moved to change the "OR" before "(b) University...." to "AND."** Unless this change was made, the categories set up by (b) and (c) respectively overlapped rather than were mutually exclusive, which was what he believed they were intended to be. The motion was



seconded. In response to a question from Professor Falk, he noted that A7c did not have to be changed. That was the one that it would overlap with if A7b were not changed. A7c was okay as long as we changed A7b. There was no further discussion, and the body passed the motion.

Senator Rich's third motion also related to A7b and c and was actually something that went back to the previous document. Here the term "approval" was used for what the supervisor gave when one submitted the required report where there was at least a possibility of a conflict of interest or commitment. There were circumstances where we really did not want to be seeking the approval of the University as faculty members, or, from the University's legal perspective, for the University to be actually approving of the activity. Rather, it seemed to him that what was sought was certification that there was no conflict of interest or commitment. We did not want the University implying any more than that, and for its own sake it should not imply any more than that. He therefore proposed to amend the language in 7b and 7c. In 7b, the second to the last sentence beginning "Approval is required prior...." change "approval" to "certification." Later in the sentence where it reads "the supervisor may approve," change "may approve" to "shall so certify." (He did not think that it was intended to leave it discretionary; if it was determined that there was no conflict of interest or commitment, it should be certified). Finally, at the end of the sentence, "with signed approval" should be replaced with "with signed certification." In 7c again where it begins, "approval is required.." "approval" should be changed to "certification"; in the next sentence, "If the immediate supervisor approves," change "approves" to "certifies." In the next to last sentence again where it says "if the immediate supervisor approves," change "approves" to "certifies." This was seconded by Senator Jesse Marquette.

Senator Oller noted that in 7c where it would read, "if the immediate supervisor certifies, he/she will with signed approval," "approval" should be changed to "certification." Senator Rich accepted this as an additional part of the motion to amend.

Senator Redle wanted Senator Rich to provide a definition of the term "certification" for insertion in the back in the definition section because it was a unique word that was all of a sudden showing up in the document.

Senator Rich answered that the reason it did not need to be defined was that we were saying here what was being certified. There was certification that there was no conflict of interest or commitment. It really contained the definition in the substantive language of the provision.

In response to Senator Braun's question regarding the difference between approval and certification, Senator Rich stated that the difference was between his saying that he approved of your conduct and his saying that your conduct did not present a conflict of interest or commitment. There was potentially some difference there. Senator Braun replied that he was an alien in this country and really failed to grasp the distinction.

Senator John Edgerton reiterated Senator Redle's request for a definition. Senator Rich's offered definition was a fine one. Why not put it in the document?

Senator Rich replied that he had not prepared a definition and still did not think one was needed because we were saying "certify that there was no conflict or commitment," and there was



this issue as a special topic next semester. Finally, relating to no. 6 under the PPO, if you chose the PPO your reimbursement level would be 90% if you stayed in-network. If you chose to go out-of-network, then your reimbursement would be 70% until you met the higher deductible.

Senator Cheung asked about the PPO and the issue of in or out-of-network when the PPO did not have a specialty which you needed.

Professor Lieberman replied that at this point there had been no bids from any PPO's. He really could not answer the question, but he knew that in HMO's in these situations one was allowed to go out-of-network.

Senator Erickson, as a member of the committee, wanted to emphasize that the three members of Well-Being who were going to be on the committee that would design and review bids for the plan would be looking at the PPO's and taking things like this into consideration.

In answer to Senator Elaine Fisher's question regarding the 90% and customary charges, Professor Lieberman noted that the advantage of a PPO if you were in-network was that the PPO had already agreed with the physicians' hospitals on the cost of the service. Therefore, you did not have to worry about whether something was customary or not. One only had that problem in the indemnity plan. So if you were in the PPO, your 10% contribution would be less as compared to the indemnity plan, because everything had already been predetermined regarding the costs as long as you were in-network.

Senator Fisher then asked whether if you went out-of-network and were told that the customary charge was \$100 and they then charged you \$250, would you be paying 30% of what they considered customary and everything above that? She thought that was the real issue.

Professor Lieberman did not know, but imagined that it would be just like the indemnity plan where you would end up paying more than 30% of the customary charges. Senator Fisher added that she would speak with caution regarding the HMO - if you went out-of-network and they did not agree with you, then you were 100% responsible for the cost.

Since there were no further comments, the Chair called for a vote **on endorsing and accepting the University Well-Being Committee's recommendations on group health insurance.** The Senate approved the recommendations with one abstention.

The next item of unfinished business was the issue of hazardous waste disposal from Campus Facilities Planning Committee. The Senate had asked CFPC to make a recommendation on this issue at the December meeting, and the Chair recognized Senator Erickson, the Chair of the committee. She stated that she had a written report (**Appendix I**), but she wanted to give some background on the hazardous waste issue. Dr. Gigliotti, Director of Administrative Services and the people from Environmental Health and Occupational Safety, had presented the committee with five options. The first option was to do nothing differently from what was presently being done, and this was not acceptable. The second option was dealing with each of the waste sites individually and having no centralization of storage. This was an extraordinarily expensive alternative and was used only on small campuses, not ones like ours. The third option was the one which had been looked at and discussed earlier this year; namely, Whitby 68. Finally, there was an alternative which merged the last



two options (the two that Environmental Health and Safety thought were the best alternatives), and this was what the Committee was recommending in its report.

The recommendation split the problem into two parts. Instead of taking all of the waste together, it divides them into two different sets of wastes and two different sets of problems. First, it recommends **(a) the changes suggested by EOHS for Knight Chemical Lab; namely, an exhaust stack, hood and ventilation, to make it an effective interim facility for storage of flammable substances.** Under these circumstances, the 5-gal. liquid waste containers from labs would be transferred in that facility in 55-gal. drums and stored until pickup. There would be enough space to do that, and it would have the kind of facilities that would allow that to occur. The Knight facility already had a good loading dock which you needed for those 55-gal. drums. Also, it already had exploding release panels, and it had water. Funds for the modification to Knight (\$55,000) were available.

Secondly, the committee recommended **(b) the construction of a permanent or pre-engineered facility on the present "pad" for sorting and storage of dry materials.** The University architect should determine the cost and time needed for these two options and provide them to the President for his consideration. We should move as rapidly as possible towards this new interim facility. This, according to EOHS, would deal with the interim situation. It was however an interim and compromise solution. Nobody really wanted Knight to have this facility, but until we could come up with a permanent facility, it was the best compromise. The CFPC had recommended and the Senate passed a resolution on priorities for buildings, and among the highest priorities was support for a permanent facility. This was also a part of the CFPC's recommendation. Ms. Calderone and Dr. Song from EOHS had been here to answer questions but had left, so she would try to answer any questions that members of the body might have.

Senator Norfolk wanted to know how Senator Cheung felt about the proposal since he had been the most vociferous here against the Whitby 68 option and the earlier recommendations.

Before he answered that question, Senator Cheung wanted to apologize to the members of CFPC for missing the meeting that they had kindly invited him to. He could only plead scatterbrainness. Going over something with a class, he had gotten involved with working with some of the students in the computer lab, and by the time he realized that he had to be somewhere else, the CFPC meeting was already over. He met afterwards with Senator Erickson, and she had briefed him on the discussions. This recommendation was far better now in one respect and eventually, he hoped, in two. It moved part of the problem away from the building where there are people every day. While it did not remove all of the problem, the committee had made the best choices it could in this regard. He wanted to echo the last sentence of the recommendation that we had to do something fairly quickly of a more permanent nature, but this recommendation was a remarkable improvement over the earlier one.

Since there were no further comments, the body approved the committee's recommendations.

Senator Erickson then presented the other action item from CFPC. This had come out of the committee's discussion this semester regarding overall campus planning - most recently with Sasaki & Assoc. on the campus development guide plan. The Committee had become very concerned that the decision on the future of Polsky's needed to be made as soon as possible. Whole building priorities



depended on that decision because 200,000 sq.ft. of space would be needed to replace it, and its use or non-use affected the overall plan for the campus. Listening to the various discussions of various groups with Sasaki, the committee was concerned that this decision should be made with adequate evaluation of its consequences and input from all of those concerned. This was why the committee had made the following recommendation: **that the decision on the future use of Polsky's be carefully examined in light of the goals and strategies of the University. This examination should include such things as interviews with the units involved and consideration of the replacement costs and the alternative uses of those funds. We ask that any such evaluation be reported to the Senate and to the Board.**

Senator James Lynn asked Senator Erickson whether she would consider as a friendly amendment a request to remove "such things as" from the motion because he thought the two items after it ought to be mandatory. Senator Erickson thought that they should be as well, but the activities should not be limited to just those two. However, she accepted it as a friendly amendment.

Senator Wolfgang Pelz wanted to know to whom the recommendation was being made. Senator Oller replied that all Senator recommendations were made to the President.

Since there were no other comments, the Senate voted its approval of the CFPC's second recommendation. (See Appendix I for entire CFPC report.)

**VII. NEW BUSINESS** - The Chair recognized Senator Baranowski, who wanted to make a motion to amend the Faculty Manual 3359-20-03(C)(2)(d). At present that rule read as follows: "In rare and compelling circumstances, the Board of Trustees may grant indefinite tenure upon initial appointment of distinguished professor and professors. The grant of indefinite tenure may occur only in exceptional circumstances to scholars who are nationally recognized and only upon the affirmative recommendation of the appropriate tenure committee." Her proposed change was as follows: **In rare and compelling circumstances, the Board of Trustees may grant indefinite tenure upon initial appointment of distinguished professors, professors, AND ASSOCIATE PROFESSORS. The grant of indefinite tenure may occur only in exceptional circumstances to scholars who are nationally recognized AND TENURED AT ANOTHER UNIVERSITY, and only upon the affirmative recommendation of the appropriate tenure committee.** She moved that this be referred to APCC for consideration, and this was seconded by Senator Norfolk.

Senator Marquette wanted to recommend that the body consider this now. It was a permissive change, and he did not see why it had to be considered by APCC. It did not say that anybody had to do anything, and it did allow the tenure committee to always have the final vote in the decision. He thought that it was really important that we moved forward with this because of the ways that hires were going. Since we were not requiring anything here, he did not think that it had to be examined more carefully. It only permitted under certain circumstances the appointment with tenure of an associate professor. He moved that this not be sent to APCC but considered immediately and sent to the President.

Senator Norfolk moved that "OR COLLEGE" be added at the end of the phrase "and tenured at another university," and this was seconded by Senator Cheung.



Senator Foos commented that as the motion was now written, we were requiring that this person have tenure at another university. Suppose the Governor of the state would want to come or a very high political official, who was nationally recognized but not from a university situation. We might want to give them tenure but could not because of this change.

The Chair noted that this was fine, but the Senate was considering the motion to add the words "or college." It needed to deal with that first. The body then voted its approval of the motion.

Senator Foos then moved to strike the phrase "and tenured at another university or college," but it died for lack of a second.

The Senate then voted on the amended motion and it passed with one abstention.

Senator Oller, on behalf of some his colleagues, had the following motion as an item of new business: **The Senate recommends that no change be made in the 5 year plan wherein \$500.00 per faculty annual allocations are made for technological upgrades.** This was seconded by Senator Norfolk.

Senator Oller explained that the reason he was making the motion was that there had been some discussion this past week that the money for \$500.00 allocations to allow each faculty member to get computer technology or upgrades had been frozen, and it was not being used for what it had been allocated to do. In the middle of the planning process when various departments were planning on using that money to suddenly realize that it was not going to be available was a problem. This was the purpose of his motion.

Senator Marquette stated that the matter had been discussed in PBC. The change that was being proposed was a one-time change and not a permanent change in the allocation of the \$500.00. What they were going to do however was conduct an analysis of the current needs of departments to deal with the Year 2000 problem in terms of equipment that was severely out of date and not basically repairable. They would allocate the \$500.00 so that we could deal with worst problems of department underfunding where you had very badly out-of-date equipment which could not deal with the Year 2000 problem. Whatever the Senate decided, he was not sure that he could agree with the motion at this point. He thought as presented the intention was appropriate. It was not a permanent change in the policy which he would argue against. It was rather a way to address an immediate problem where just putting \$500.00 into each case was not going to solve the worst problems.

Senator Rich's understanding of this was also that it was not permanent, although Senator Marquette's use of the term one-time might not be correct. He thought that the intention was to do it for the two years that it would take to get us to the Year 2000 and then to revert back to the \$500.00 per faculty member. The arguments on this were pretty familiar to most people. On the one hand, it met a pressing need, and on the other hand the pressing need existed in those places where it did because money had not been previously expended to upgrade equipment. There was a sense then in which it would reward those departments that had not invested when they should have, and it punished those that had invested the money as they should have. In response, one could raise the issue of departments being starved for resources in the first place. This was one of the things where you either voted your interest or sentiments. It was intended to be temporary but to take us through the academic year 1999-2000.



Senator Malhotra rose in support of the motion but wanted to know whether Senator Rich had been speaking for or against it. Senator Rich replied that he had been speaking ambivalently.

Senator Robert Huff had heard rumors about this just in the past few days. He had not known what the background was or what was going to be happening to the money. He did know that in his school a number of faculty members still had no computers at all and were not concerned about the Year 2000 problem. They were not concerned about upgrading since they were simply waiting to get a first computer. We had been on a 5-year plan to acquire computers for everyone in the school which had now become a 7-year plan. It was a dismal piece of news, and he had to support the motion.

Since there were no further questions, the body voted its approval with one abstention.

**VIII. GOOD OF THE ORDER** - There were no items raised.

**IX. ADJOURNMENT** - Senator Malhotra moved to adjourn. This was seconded and approved by the body. The meeting ended at 5:00 p.m.

*Transcript prepared by Marilyn Quillin*



**APPENDIX A**

**Report of Executive Committee**

The Executive Committee met on several occasions in November and early December to deal with a variety of matters. On December 1 it met with President Ruebel, Provost Leathers, and Presidential Assistant Walton to discuss matters of mutual interest.

Two items which both the President and Provost thought the Senate might consider examining in the future were the size of major requirements and a curriculum review of courses listed on the books but rarely or never taught. Attached to this report is a copy of a letter from President Ruebel with answers to questions at earlier meetings.

Respectfully submitted,  
Gary H. Oller, Secretary  
Faculty Senate





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## Office of the President

November 10, 1998

TO: Dr. Gary Oller, Secretary  
Faculty Senate

FROM: Marion A. Ruebel  
President

SUBJECT: **Items from Executive Committee Meeting of November 2, 1998**

**I Bachelor of Science in Interdisciplinary Studies**

This program, which was approved by the Board of Trustees on May 6, 1998, is currently being prepared for final submission to the Ohio Board of Regents. Interim Associate Provost Jean Blosser indicates that the funding basis for the program, which is required for final approval, is now being calculated. Dr. Blosser says that the proposal should go to OBR within the next few weeks, and that final approval by OBR is expected in January, 1999.

**II Additional Health Coverage for Spouses and Dependents of Retirees**

The University Well-Being Committee has recommended revocation of the resolution of January 1, 1992, which excludes from health coverage the spouses and dependents of retirees having 10 years or more of service to the University. I have requested a cost estimate before recommending the extension of this benefit to a new group of retirees.

**III The Part-Time Faculty Committee**

The Part-Time Faculty Committee, chaired by Dr. Blosser, is currently meeting to review the classification and pay structure for part-time faculty.

cc: Dr. Noel Leathers  
Dr. Joseph Walton  
Dr. Jean Blosser  
Mr. Brian Davis  
Mrs. Desnay Lohrum

zlsenate@oller.n98



APPENDIX B

<b>FALL SEMESTER</b>	<b>1999-2000</b>	<b>PRELIMINARY 2000-01</b>
Day and Evening Classes Begin	Mon., August 30	Mon., August 28
Labor Day* (Day and Evening)	Mon., September 6	Mon., September 4
Veteran's Day (Classes Held, Staff Holiday)	Thurs., November 11	Sat., November 11
Thanksgiving Break ** Classes Resume	Thurs.-Sat., November 25-27	Thurs.-Sat., November 23-25
Final Instructional Day	Mon., November 29	Mon., November 27
Final Examination Period	Sat., December 11	Sat., December 9
Commencement	Mon.-Sat., December 13-18	Mon.-Sat., December 11-16
Spring Intersession	Sat., December 18	Sat., December 16
	Sat.-Sat., January 1-15	Sat.-Sat., December 30- January 13
<b>SPRING SEMESTER</b>		
Day and Evening Classes Begin	Tues., January 18	Tues., January 16
Martin Luther King Day*	Mon., January 17	Mon., January 15
President's Day	Tues., February 15	Tues., February 20
Spring Break	Mon.-Sat., March 20-25	Mon.-Sat., March 19-24
May Day***	Fri., May 5	Fri., May 4
Final Instructional Day	Sat., May 6	Sat., May 5
Final Examination Period	Mon.-Sat., May 8-13	Mon.-Sat., May 7-12
Commencement	Sat., May 13	Sat., May 12
Summer Intersession	Mon.-Sat., May 15-June 10	Mon.-Sat., May 14-June 9
Commencement/Law School	Sun., May 21	Sun., May 20
<b>SUMMER SESSION 1</b>		
First 5-Week and 8-Week Sessions Begin	Mon., June 12	Mon., June 11
Independence Day *	Tues., July 4	Wed., July 4
First 5-Week Session Ends	Sat., July 15	Sat., July 14
<b>SUMMER SESSION 2</b>		
Second 5-Week Session Begins	Mon., July 17	Mon., July 16
8-Week Session Ends	Sat., August 5	Sat., August 4
Second 5-Week Session Ends	Sat., August 19	Sat., August 18
Commencement	Sat., August 19	Sat., August 18
<b>FALL SEMESTER</b>		
Classes Begin	Mon., August 28	Mon., August 27
* Classes canceled (day and evening)		
** Classes canceled from Wednesday at 5:00 p.m. through Monday at 6:50 a.m.		
*** Classes canceled from noon to 5:00 p.m.		



## **APPENDIX C**

### **Report of Curriculum Review Committee**

The Curriculum Review Committee met one time since the last Faculty Senate meeting. The following actions and activities have occurred:

- Hard copies of proposals that are designated as "Available for University-wide review" are available at the University Library Reserve Desk.
- The Curriculum Review Committee and others have been experiencing some difficulty operating the web-based curriculum review system. Over the semester break, this will be investigated and improved where possible. If all goes well, faculty should be able to obtain information about the status of proposals and directly link to the review system from the email digest.
- The APCC has established a subcommittee to work with Dr. Blosser and a few members of the Curriculum Review Committee to review the current curriculum review policies and procedures (including streamlining the process and improving the efficiency of the web-based system).
- On November 24, 1998, Dr. Amy Lee, NEOUCOM, met with the Curriculum Review Committee to discuss and answer questions about a proposal for a joint interdisciplinary Masters Degree in public Health (MPH). The consortium arrangement is between The University of Akron, Kent State University, NEOUCOM, Cleveland State University, Youngstown State University. Review of the proposal is underway at all of the universities.



**APPENDIX D**

**Report of Athletics Committee**

The Athletics Committee has continued its regular meetings in September, October, November and December 1998.

Among the major items discussed:

1. The Committee has discussed the Men's Basketball program with Dan Hipsher, the Women's Softball program with Deanna Parks, and the Men's Soccer program with Ken Lolla.
2. Dennis Helsel has discussed his long-term plans, both for facilities and programs. The plans discussed would mostly be funded by donations and primarily are aimed at the gender access/equity issue. The budget increase of last year, and that proposed for next year, will be allocated to women's programs.
3. The half-price deal for faculty tickets has been reinstated, but only for season tickets and general admission tickets on game nights, not on advance sales.

Respectfully submitted,  
Tim Norfolk, Chair



APPENDIX E

**THE UNIVERSITY OF AKRON  
INTERNAL GRANTS AWARDED BY  
RESEARCH (FACULTY PROJECTS) COMMITTEE**

<u>ACCT. #</u>	<u>FRG #</u>	<u>NAME</u>	<u>TITLE OF PROJECT</u>	<u>AMOUNT</u>
2-07395	1432	Dr. Jeffrey Adler Mathematics & Computer Science	Representations of p-adic groups.	\$ 8,000.00
2-07396	1433	Dr. Linda Barrett Geography and Planning	Forest-site Relationships in the Lake Plains of Northwestern Ohio Before European Settlement.	8,000.00
2-07397	1434	Dr. Matthew Espe Chemistry	Structure of the C-Terminal Region of E. Coli L-aspartase: Impact of Plasminogin Activation.	8,000.00
2-07398	1435	Dr. Clayton Fant Classics and History	Taste and Ostentation in White Marble At Roman Pompeii	8,000.00
2-07399	1436	Dr. Laura Gelfand Art	The Portail Ste.-Anne on the Cathedral of Notre-Dame de Paris.	8,000.00
2-07400	1437	Dr. Lesley Gordon History	The 16th Regiment Connecticut Volunteers in War and Memory.	8,000.00
2-07401	1438	Dr. Laura Gross Mathematics & Computer Science	Stripe Prediction in Liquid Crystals.	8,000.00
2-07402	1439	Dr. Ali Hajjafar Mathematics & Computer Science	Controlled Overrelaxation Method With Application to Numerical Differential Equations.	8,000.00
2-07403	1440	Yu-Kuang Hu Physics	Interaction and Quantum Effects in Novel Semiconductor Devices of Reduced Size and Dimensions.	8,000.00



ACCT.	FRG#	NAME	Title of Project	AMOUNT
2-07404	1441	Dr. David Modarelli Chemistry	Spectroscopy of Alkylidenecarbenes.	\$ 8,000.00
2-07405	1442	Dr. Jutta Luettmmer- Stratthmann Physics	Effect of Small-scale Architecture on Thermodynamic and Transport Properties of Polymeric Fluids.	8,000.00
2-07406	1443	Dr. Coleen Pugh Polymer Science	An Amphiphilic Approach for Preparing Homopolyrotaxanes.	8,000.00
2-07407	1444	Ms. Penny Rakoff Art	Pfeiffer House Memorial.	8,000.00
2-07408	1445	Mr. Hakan Rosengren Music	Scholarly Performance Edition of Polish Clarinet Music.	8,000.00
2-07409	1446	Dr. Alexei Sokolov Polymer Science	Fast Relaxation in Polymers and its Relation to Acoustic Attenuation.	8,000.00
2-07410	1447	Dr. Mary Triece Communication	Framing Miss-Conduct: Gender Representations in the Struggle of Cleveland Conductorettes During World War I.	8,000.00
2-07411	1448	Ms. Janice Troutman and Ms. Donna Webb Art	A Collaborative Effort to Design and Manufacture Ceramic Tile Benches.	8,000.00
2-07412	1449	Ms. Heather White Art	A Contemporary Metalsmithing Project Based on Historic Research at the Hermitage.	8,000.00
2-07413	1450	Dr. Stephanie Woods Nursing	Women Who Have Been Battered: The Lasting Physical, Emotional, and Social Effects.	8,000.00
2-07414	1451	Dr. Steven Yamarik Economics	Estimating marginal Tax Rates and Their Effect on State Economic Development.	8,000.00

**TOTAL OF 20 SUMMER 1998 FELLOWSHIPS**

**\$160,000.00**



APPENDIX F

**REPORT OF THE STUDENT AFFAIRS COMMITTEE  
Sub-Committee of Faculty Senate**

**Meeting of November 6, 1998**

**PRESENT:** T. Connell, R. Gibson, M. Konkel, D. Laconi, T. Jolly, B. Mormino, T. Vukovich

**ABSENT:** T. Alexander, J. Buchanan, P. Linberger, D. McNutt, G. Stewart

The meeting was convened at 11:00 AM in Polsky 192, Advising Conference Room, on November 6, 1998.

Approval of the agenda was moved by M. Konkel and seconded by D. Laconi. The body then voted its approval.

Dr. Tom Vukovich, Associate Provost of Student Affairs presented his report. Topics included:

- Recently attended a MAC Student Affairs meeting. At the meeting there was extensive discussion related to development of a sexual predator policy and protocol.
- Residence halls are being evaluated for space capabilities. Administration will soon determine if Spanton and/or Ritchie hall should have space increases.
- The plaza by Robertson Dining Hall needs to be repaired and/or remodeled.
- ASG is presently updating their constitution. ASG will report to this committee at the January meeting.

**OLD BUSINESS**

ASG House of Representative mandatory attendance policy is in effect. A recent newsletter to student organizations recently included the statement, "if an organization is not represented at a majority of the House meetings there will be a 5% reduction imposed on the following year's request for funding through EAF."

**NEW BUSINESS**

ASG president, B. Mormino expressed concerns of the student population regarding faculty evaluations. The students would like access to faculty evaluations so they can make conscientious choices when scheduling. The committee encouraged AS to utilize informal evaluations (i.e., word of mouth). Students should develop ways to promote the publicizing of "good" teachers by getting more people involved in positive ways (i.e., a teacher of the year award, etc.). The committee assured B. Mormino that faculty evaluations are utilized for retention, tenure, and promotion.

**GOOD OF THE ORDER**

Volunteers are needed to serve as readers for commencement. All faculty and staff are encouraged to participate by calling Dr. Vukovich.

No additional concerns were addressed and the meeting was adjourned at 12:00 Noon.

Respectfully submitted by Senator Rebecca Gibson  
Chair, Faculty Senate Student Affairs Committee



APPENDIX G**Statement of Principles for the Policy and Reporting Procedures for the Conflict of Interest, Conflict of Commitment, Scholarly Misconduct and Ethical Conduct** Draft: 11/23/98**A. Introduction**

1. This principles document prefaces and references the policy document. It serves as a guiding set of principles for the employees of the University as they interact with the policy document.
2. These principles and any associated policy or reporting procedures represent an evolving set of documents. As of this date these principles do not represent a codified or rigidly defined set of rules. The complexity of the subject matter is such that the current policies and procedures will need a yearly formal review by the Senior Research Officer of the University with the advice of the faculty senate and other bodies which have interest (Purdue, 1995). For clarification of definitions and procedures see Policy 3359-11-13 Conflict of Interest, Conflict of Commitment, Scholarly Misconduct and Ethical Policies and Procedure (Revised 11/23/98).

**B. Principles**

1. The University of Akron recognizes that external activities can advance its ability to provide high quality research and educational experiences for students. External activities congruent with the professional expertise of the Faculty or Staff Member and consistent with the mission of the corresponding department enhance the individual's professional development and enrich the learning community as a whole. In addition, activities such as licensing of technology, consulting or business start-ups are critical to meeting society's needs (Purdue, 1995).
2. At the same time, all members of the University must be committed to conducting themselves in accordance with the highest standards of integrity and ethics. This includes identification of the potential for conflicts of interest and the assurance that they do not improperly affect the conduct of University activities. These principles are not intended to eliminate all conflicts of interest but to set forth the guidelines and procedures for proper disclosure and management of these situations (Purdue, 1995).
3. The professional expertise of faculty and professional and scientific staff is expected to be devoted principally to the performance of their teaching, research, and service obligations to the University. Historic custom and practice, however, within this and other universities has shown that it is beneficial to the University, the employee, and the external community for employees to devote some of their professional expertise to outside activities (Wilson, 1998).
4. When employees engage in outside activities unavoidable conflicts of interest may arise. When these conflicts emerge they need to be disclosed and managed to assure that the employee's integrity and objectivity in the performance of University



responsibilities are not compromised and that their conflict of commitment does not unduly interfere with the time they devote to their University obligations.

5. Conflicts of interest and commitment need to be resolved fairly and expeditiously through disclosure and management at the lowest level of supervision consistent with the level of activity. Disclosure, discussion, and oversight will most often be sufficient to handle what would otherwise be an unacceptable conflict of interest or commitment. The process begins with disclosure. Disclosure is the fundamental principle of resolution. Disclosure is used to bring resolution not impose sanctions. Resolution of conflicts will be resolved in the least invasive way. Disclosure and participation in a resolution process protects the employee from sanctions. Failure to disclose conflicts of commitment or interest leaves the employee open to sanctions and possible legal action (Wilson, 1998, Purdue, 1995).

### C. Procedures

1. Any specific activities noted within this document are not intended to be inclusive and serve only to illustrate the nature of situations which can give rise to conflicts of commitment and interest. These situations call for interpretation and review with the immediate supervisor within the context of the faculty and staff member's professional area, and the extent, nature, and consequences of involvement in specific outside activities (Purdue, 1995).
2. Some activities are routinely allowable without certification that they do not involve significant conflicts of interest or commitment but with timely notice to the immediate supervisor because they are (a) accepted practices and (b) generally minimal in their personal financial impact and impact on the University. Examples of such activities: public service in community service agencies, royalties for published scholarly works or institutional royalty sharing, honoraria, prizes and awards for professional recognition, or routine activities for professional organizations and associations.
3. All forms of activities, not routinely allowable, which involve a time commitment of one day or less (on average) during the five-day forty-hour work week per quarter of the academic or contract year or activities for which a full-time employee receives remuneration of less than \$10,000.00 must be reported to the immediate supervisor (e.g. department chair or supervisor) in written form with simple statements of what is being done, for whom, and at what level of compensation. If there is no significant conflict of interest or commitment and the activities are common, the immediate supervisor may shall so certify and file the report with signed certification in the department or equivalent level personnel file. Certification is required prior to engaging in any such activity. Examples of such activities include: those in which the employee receives less than \$10,000.00 during the university employment



contract, extensive activities for professional organizations and associations, time commitments of one-day or less on average during the work week.

4. All other forms of activity which involve a time commitment in excess of one day on average during the five-day forty-hour work week per quarter of the academic or contract year or activities for which a full-time employee receives remuneration valued at \$10,000.00 or above must be reported to the immediate supervisor (e.g. department chair or supervisor) in written form with simple statements of what is being done, for whom, and at what level of compensation. If the immediate supervisor certifies that the activity does not involve a significant conflict of interest or commitment, he or she will, with signed certification, forward the request to their immediate supervisor (e.g. college dean or division director). If the intermediate supervisor certifies that the activity does not involve a significant conflict of interest or commitment, the request will be certified and kept on file at that location, and he or she will inform the appropriate central administration officer (e.g. Senior Research Officer or Executive Director for Human Resources). Certification is required prior to engaging in any such activity. Should a request be denied at any level and the employee disagrees, an ad hoc inquiry committee will be convened with five appropriate members selected by the central administration officer. This committee may suggest appropriate oversight or management procedures to ensure no conflict of interest or commitment or may recommend other forms of amelioration.

	Routinely Allowable	<1day/wk. <\$10,000/yr.	>1 day/wk. >\$10,000/yr.
Report	X	X	X
seek certification from immediate supervisor		X	X
seek higher certification			X

#### D. Yearly report

Each year on April 30 every full time employee will answer a questionnaire which discloses any activities which could represent a significant conflict of interest or commitment. Such a questionnaire will not substitute for the immediate request for certification of activities that might constitute a conflict of interest or commitment.

#### E. References

Purdue University, Executive Memorandum No. C-39, October, 25, 1995.



Wilson, E. Draft Statement on Conflict of Interest, Conflict of Commitment, Scholarly Misconduct and Ethical Conduct Policies and Procedures, October 12, 1998.



**Yearly Conflict of Interest and Commitment Report**

Employee Name: \_\_\_\_\_

Employee Title: \_\_\_\_\_

Employee's Department: \_\_\_\_\_

Instructions: Every employee of the University of Akron must disclose activities which might be considered a conflict of interest or commitment to their employment. If you respond yes to any of these questions you may be required to provide additional information. If the employee responds no to all of the questions this report will remain on file in the employee's department personnel file. If the employee answers yes to any of the questions the immediate supervisor should secure simple statements that describe the activity and forward the report to the intermediate supervisor with recommendations. These questions refer to the academic of contract year.

1. Did you engage in any activities which involve a time commitment during the five day forty hour work week on average per quarter or activities for which you received payment or recompense that did not receive required prior certification?

Yes \_\_\_\_\_ No \_\_\_\_\_

2. Do you directly supervise a spouse or immediate family member within the University?

Yes \_\_\_\_\_ No \_\_\_\_\_

3. During the last year did you engage in any outside consulting activities for pay beyond \$10,000 from a single source?

Yes \_\_\_\_\_ No \_\_\_\_\_

4. Do you engage in any outside activities which cause you to be away from the University more than a quarterly average of one day per five day work week for which you have not received required prior certification? Yes \_\_\_\_\_ No \_\_\_\_\_

5. Do either you or a member of your immediate family own more than 10% of a business enterprise which provides goods or services to the University?

Yes \_\_\_\_\_ No \_\_\_\_\_

6. Do you serve as an adviser, consultant, or in any other capacity with a public or private agency that grants money or decides policy for grants that could adversely affect the University's eligibility for funds from that agency?

Yes \_\_\_\_\_ No \_\_\_\_\_

7. Do you own, hold a line management position, or participate in the day-to-day operations of a commercial enterprise that is closely related to your academic or other University work?

Yes \_\_\_\_\_ No \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



**3359-11-13 Conflict of Interest, Conflict of Commitment, Scholarly Misconduct, and Ethical Conduct - Policies and Procedures Draft: 11/23/98****Introduction**

These policies and procedures represent an evolving set of documents. As of this date, these policies do not represent a codified or rigidly defined set of rules. The complexity of the subject matter is such that the current policies and procedures will need a yearly formal review by the Senior Research Officer of the University with the advice of the faculty senate and other bodies which have interest.

**A. Policies and procedures regarding conflicts of interest and/or commitment**

1. Each University employee will review and comply with these policies by promptly taking whatever steps are required to avoid, eliminate, remediate or manage an actual conflict of interest and/or commitment.
2. On April 30 each University employee will submit a questionnaire (Yearly Conflict of Interest and Commitment Report) to her or his immediate supervisor that discloses any outside activities that could represent a conflict of interest and/or commitment.
3. Written disclosure to the immediate supervisor is required during the university employment contract year when additional outside consulting activities arise that could represent a conflict of interest and/or commitment.
4. Outside consulting activities of full-time employees will be governed by the following:
  - a. All forms of outside activities that involve a time commitment during the five-day/forty hour workweek must be disclosed.
  - b. The maximum allowable time permitted for outside consulting activities is one day per week on average during a quarter during the period of the University academic-year or calendar year contract. Particular circumstances, including but not limited to teaching assignments or other scheduled University duties and/or the terms and conditions of support of University grants or contracts, will be taken into account in approving such arrangements.
  - c. The responsibilities and professional activities that constitute an appropriate and primary commitment will differ across colleges, schools, departments, and disciplines, but should be based on an understanding among the employee, his/her Department Chair, Dean or administrative supervisor(s), and the Provost, and in accord with University policies.
  - d. University resources both human (e.g. students, support staff) and material, except in a purely trivial and incidental way, may not be used for any purpose



that is unrelated to the mission of the University and neither for outside consulting nor for private gain.

5. Failure to disclose and manage conflicts of interest and/or commitment may leave the employee open to sanctions and possible legal actions.
6. Outside activities in violation of state or federal laws or regulations are for discipline, up to and including termination of employment by the University ("Objectivity in Research Rules, 42 C.F.R. sec. 50.601 - 50.607 and 45 C.F.R. sec. 94.1 - 94.6"; "National Science Foundation Investigator Financial Disclosure Policy, 59 Fed. Reg. 33,308 (1994) and 60 Fed. Reg. 35,820 (1995); Ohio Ethics Law chapter 102 of the Ohio Revised Code).
7. Managing potential conflicts of interest and/or commitment requires timely and accurate disclosure. Therefore, all University employees who engage in outside activities are to disclose those activities as they are encountered in accordance with the following guidelines:
  - a. Some outside activities, which might be considered conflicts in a technical sense, are routinely allowable without permission but with timely notice to the immediate supervisor because they are (a) accepted practices and (b) generally minimal in their personal financial impact and impact on the University. Examples of such activities: public service in community service agencies, royalties for published scholarly works or institutional royalty sharing, Honoraria, prizes and awards for professional recognition, or routine activities for professional organizations and associations.
  - b. All forms of outside activities which do not fit the above category and do involve (a) a time commitment of one day or less (on average) during the five-day, forty-hour work week per quarter of the University academic year or calendar contract and (b) University employee remuneration of less than \$10,000.00 from a single source during the employees University contract period are to be reported to the employees immediate supervisor. Disclosure reports are to be made in written form with simple statements of what is being done, for whom, and at what level of compensation (e.g., less than \$10,000). If there is no significant conflict of interest or commitment and the activities are common, the supervisor shall so certify and file the report with signed certification in the department or equivalent level personnel file. Certification is required prior to an employee engaging in any such activity. Examples of such activities: extensive activities for professional organizations and associations.
  - c. All other forms of outside activity which involve a time commitment in excess of one day on average during the five-day, forty-hour work week per quarter of the



University academic year or calendar contract or outside activities for which an employee receives remuneration valued at \$10,000.00 or above from a single source during the employee's University contract period are to be reported to the immediate supervisor (e.g., department chair or supervisor). Disclosure reports are to be in written form with simple statements of what is being done, for whom, and at what level of compensation (e.g., more than \$10,000.00). Certification is required prior to an employee engaging in any such activity. If the immediate supervisor certifies, he/she will, with signed certification forward the request to his/her immediate supervisor (e.g., college dean or division director). If the intermediate supervisor certifies, he/she will report the request to the appropriate central administration officer (e.g., Senior Research Officer or Executive Director for Human Resources). The request will be kept on file at that location.

8. All University employees are to annually disclose involvement in outside activities which might represent a significant conflict of interest and/or commitment in their University employment. All University employees are to complete the Yearly Conflict of Interest and Commitment Report questionnaire on or before the thirtieth of April. Completed reports are to be sent for signatures to the employees' immediate supervisor. If an item on the questionnaire is checked yes, then the employee's immediate supervisor will forward the report to his/her immediate supervisor (i.e., college dean, division chair) for signature who will, in turn, forward the report to the appropriate central administrative officer (i.e., Senior Research Officer or Executive Director for Human Resources). Forwarded annual Disclosure Reports will be kept in the appropriate central administrative office. Annual reports with all no responses will be kept at the department level.

University student assistants employed solely on an hourly pay basis, part-time teaching faculty, and employees working less than half-time are exempt from submitting the annual disclosure form but nonetheless are to comply with the University's conflict of interest and related policies. Questions or concerns of these persons on these matters are to be referred to their Department Chair.

9. University employees with knowledge of an impending arrangement between the University and an outside entity with which they or their immediate family members have financial interests, employment, or other involvements are to disclose those facts to their administrative superior before the University approves the proposed arrangement. Examples of such arrangements: gifts in kind, contributions; sponsored research or other sponsored programs; patenting, licensing, or technology transfer or other intellectual property agreements; procurement, contracts, and/or subcontracts, and similar agreements.
10. The President, Vice Presidents, Deans, and other officers, as may be designated by



- the Board of Trustees from time to time, are to submit for review and approval an annual disclosure statement which includes memberships on any corporate Boards, partnerships, or associations held by such officers. In addition to any proposed outside activities, such disclosures also are to identify any office or fiduciary relationship with a not-for-profit corporation or public board or agency.
11. No University employee is to use or attempt to use his/her public position or State property, including property leased by the State, to secure or attempt to secure anything of substantial value for his/ her private gain, for the private gain of his/ her immediate family members, or for any organization unrelated to the University with which the employee or the immediate family member(s) is/are associated.
  12. No University employee is to solicit or accept from any person or organization anything of value pursuant to an expressed or implied understanding that his/her conduct of university business would be influenced thereby.
  13. No University employee is to intentionally use or disclose confidential or proprietary University information and/or intellectual property in any way that could harm the University or result in the receipt of anything of value for him/herself, for his/her immediate family member, or for any other person or organization with which the University of Akron employee is associated.
  14. No University employee is to receive private gain arising from the sale of textbooks or other materials used in a course in which the employee is an instructor. When the employee as instructor believes that such textbook or material is appropriate for the benefit of the students, the employee must arrange either to (a) waive royalties or other type of personal gain or (b) designate the University or a recognized professional organization or honorary to receive such royalties or gain. The latter option must ensure that there will be no potential for future personal gain by the employee from this classroom use. All proposed plans are to be submitted to the University for prior approval through the Department Chair.
  15. Inventions and patent rights of University employees developed or obtained during the course of their five-day, forty-hour work week /contractual agreement with the University belong to the University unless otherwise stipulated in a specific written University patent rights agreement signed by an authorized University official delegated such authority by the University Board of Trustees. Computer software developed by University employees during the course of their five-day, forty-hour work week /contractual agreement with the University or using University resources is the property of the University.

Inventions or discoveries made using any University facilities or other University resources belong to the University even if the inventors are not University employees,



unless otherwise stipulated in a specific written University patent rights agreement signed by an authorized University official delegated such authority by the University Board of Trustees.

University intellectual property, including inventions and computer software, is to be managed under the Research, Copyright, and Patent Policies and Procedures. The University will share with inventors and software authors any net royalties or royalty-type income that may be gained as a direct result of licensing or attempting to license the intellectual property.

University employees are to disclose in a timely manner to the University: (a) their own creation or discovery of inventions and computer software which are developed using University resources, regardless of sponsorship; (b) any discoveries and inventions utilizing University resources, including those resulting from their participation in sponsored research or other sponsored programs, other remunerative outside activities in their field of academic interest or specialization, or any other activities of an outside commercial enterprise, including any University employee-owned or employee-managed company; and/or (c) the creation or discovery of inventions of any others associated with them when that development involved any University resources.

No University employee is to provide confidential or proprietary information, including information regarding inventions or other intellectual property, to a company or other entity or its agents without prior disclosure to and specific permission by the University.

16. University employees who wish to propose or are involved in University sponsored research or other sponsored programs are expected to review and adhere to all University policies, procedures, and obligations related to proposing, managing, reporting of results, and other aspects of such projects.
17. The University requires that investigators disclose to the University's Director of Research Services and Sponsored Programs any other potential conflicts of interest prior to the submission of a proposal for funding. If a new conflict of interest arises at any time during the period after submission of the proposal through the period of award, the filing of a disclosure and immediate action toward remediation is required. Each investigator must disclose all significant financial interests as well as any other potential conflicts of interest:
  - a. that would reasonably appear to be directly and significantly affected by the research or educational activities funded, or proposed for funding, by an external sponsor or



- b. in entities whose financial interests would reasonably appear to be directly and significantly affected by such activities.
18. Conflict policies regarding research projects:
- a. University employees are prohibited from independently submitting or negotiating proposals or contracts for any externally-sponsored research or other sponsored programs on behalf of the University. Proposals, and any subsequent negotiations, awards, other agreements, or changes are to be processed through and require the prior written authorization of the University through the Director of Research Services and Sponsored Programs.
  - b. All University employee involvement in proposals for sponsored research or other programs at other institutions must be approved in advance through the Office of Research Services and Sponsored Programs. University employee involvement in a program or project at another institution that might be conducted appropriately at The University of Akron as part of normal employee duties could result in situations that place students and staff in conflicts of interest, and deprive students and colleagues of the faculty members or other employees primary intellectual energies. A bona fide subgrant or subcontract agreement of equitable terms, normally involving one institution as fiscal agent and the other(s) as subgrantee(s), negotiated in advance between the University and the other institution(s), and naming the University employee among the key personnel for the project, is an appropriate means for a University employee or team to participate in inter-institutional research projects or other sponsored programs.
  - c. University employees must receive specific prior written approval from the Senior Research Officer to divert funded research opportunities or other sponsored program support from the University to other institutions or external entities.
  - d. A University employee will inform students and all workers engaged in research or other sponsored programs to be conducted under his or her supervision of all details, policies, and procedures concerning the project needed for the students and workers to perform their role. These include full disclosure of the terms of the agreement in support of the activity, including concerning copyrights or patent rights arising from the research; policies and procedures governing scholarly misconduct; and other as applicable (e.g health and safety regulations, protection of human rights, ethical care and use of animals, radiation safety, biohazard safety);
  - e. It is the responsibility of each University employee to disclose promptly to the



Senior Research Officer any situation or proposal in which the objectivity of a University employee or participant in a research project could be reasonably questioned. See, Procedures for review and resolution of conflicts of interest and commitment.

19. Conflicts involving University contracts:

- a. University employees are prohibited from negotiating or entering into contracts or other agreements which claim, imply, or appear to involve the University, unless such actions are part of their official University duties and within the scope of their employment. The Board of Trustees and President will specifically delegate in writing those employees with such signatory authority to contractually commit the University;
- b. University employees are prohibited from entering into a contract (other than their employment contract) or lease (other than by student employees for student housing) with the University, whether or not the contract or lease derived in whole or part by University funds;
- c. No University employee, in their official capacity, in a position to approve or influence a contract or lease may enter into such a contract or lease which involves the University employees family members, business associates, or any organization with which the University employee is associated whether or not the contract or lease derived in whole or in part from University funds. It is the duty of each University employee to disclose promptly any such proposed contract, lease, or similar relationship or agreement to the University through the Department Chair.

20. Maintaining the University as a community of scholars requires the free and open exchange of ideas and the results of scholarly activities. To this end:

- a. university students and scholars involved in research have the right to pursue topics of interest, have access to available information and facilities, and to communicate the results of their work in accordance with the law and University policies;
- b. university employees with outside business interests or outside consulting activities must ensure that the activities of University students, staff, post doctoral fellows, visiting scholars, and other employees are not exploited by those outside interests and activities;
- c. all University employees have a right to know the source(s) of funding that support their work.



21. Employee pursuit of a degree, when presenting a situation in which a possible conflict of interest or conflict of commitment could reasonably be thought to exist requires prior approval by the employee's immediate supervisor.
22. No University employee may accept anything of value that may substantially or improperly influence him or her with respect to his or her university duties.
23. The University seal, logo, trademarks, and all other University intellectual property may not be used by any person, including any University employee outside his or her scope of employment; not by any firm, corporation, or other entity without the express written permission of the President or the President's designee.
24. The University's name will not be used by any employee for the purpose of advertising outside the scope of one's employment by the University or in relation to commercial ventures for private gain. In situations when it is not clear whether or not the use of the University's name is appropriate, the employee must obtain the written permission of the President.
25. All equipment, apparatus, museum materials, scientific collections, books, and other University property are in the immediate care of the University employees of the respective departments to which such materials belong. University employees are expected to practice good stewardship in the use and care of University property.
26. Nepotism is an impermissible conflict of interest.
  - a. No University employee may participate, formally or informally, in the decision to hire, retain, grant tenure to, promote, determine salary of, discipline, renew, modify or terminate a family member's individual employment with the University, or to renew, modify, or terminate any other condition of employment
  - b. No University employee may give preferential or favored treatment in the supervision or management of another University employee who is a family member
  - c. No University employee may authorize or use his or her authority, formally or informally, to secure authorization of any public contract in which he or she or a family member has an interest.
27. Service as an expert witness in any civil or criminal case can be undertaken only when there is no conflict of interest or conflict of commitment.
28. While executing their University duties, university employees may not use their authority in an exploitative manner in relationships with others.



29. A whistle blower, who raises or wishes to raise an allegation against a University employee/employees, of a conflict of interest and/or conflict of commitment, related wrongdoing, or of institutional conflict(s) of interest, must respect the confidentiality of sensitive information and give legitimate institutional structures an opportunity to resolve the matter. Whistle blowers and other witnesses have the responsibility to raise their concerns honorably and with foundation. The University has a duty to undertake review and actions as appropriate and not to tolerate or engage in retaliation against whistle blowers. This duty includes providing appropriate and timely relief to ameliorate the consequences of actual or threatened reprisals, and holding accountable those who retaliate.
30. Responsibilities of the Department Chair or equivalent are:
- a. to maintain a record of any outside activity disclosed by a University employee under his/her direction
  - b. to act in good faith to assist the University in implementation of this policy
  - c. to convey to the Dean or administrative supervisor the concerns they, or others, have with this policy
  - d. to review and forward to the Dean and Senior Research Officer with his or her comments any case which appears to have a potential conflict of interest or conflict of commitment. Such comments should include actions recommended by the Chair to manage or remedy the conflict(s)
31. Responsibilities of the Dean or other administrative supervisor are:
- a. to maintain a record of any outside activity disclosed by a University employee under his/her direction.
  - b. to act in good faith to assist the University in implementation of this policy.
  - c. to convey to the Provost the concerns they, or others, have with this policy.
  - d. to review and forward to the Provost and Senior Research Officer with his or her comments any case which appears to have a potential conflict of interest or conflict of commitment. Such comments should include actions recommended by the Dean to manage or remediate the conflict(s).
32. The Executive Director of Human Resources under this policy is responsible for providing the immediate supervisors with the annual reporting form for each eligible



employee under their supervision.

**B. Procedures for reports, certifications, disclosures, and approvals**

1. Disclosures and requests for approvals are to be directed first to the immediate administrative supervisor, as well as to the next higher level.
2. For a matter of disallowed approval a Department Chair or equivalent will communicate a report and recommendation to the intermediate supervisor. If the intermediate supervisor confirms the disallowance, and he or she will communicate the report and recommendation to the Senior Research Officer.

**C. Procedures to appeal the disallowance of a disclosed outside activity**

1. A inquiry committee will be convened with five appropriate members as described in section F 4.
2. Procedure for determination in potential conflict situations:
  - a. Requests by employees for University review and determination will be signed and submitted in writing to the Senior Research Officer in order to initiate a review.
  - b. The Senior Research Officer is responsible for the timely review (10 business days), maintenance of records, and preservation of confidentiality of: requests for review, annual certifications and disclosures, any ad hoc disclosure reports of employees, and all other related documents received or created.
  - c. The inquiry committee will collect relevant documentary materials, and thereafter, in a timely manner (10 working days), analyze and render a report to the Senior Research Officer.
  - d. The inquiry committee may suggest appropriate oversight or management procedures to ensure no conflict of interest or commitment or may recommend other forms of amelioration.
3. Procedure for resolution of conflict situations
  - a. The Senior Research Officer will submit to the Provost the inquiry committee report and its recommendation for resolution of the conflict. Additional or subsequent action may be recommended by the Provost or Office of General Counsel.
4. Procedure for determination in potential conflict situations



- a. Requests for University review and determination will be signed and submitted in writing to the Senior Research Officer in order to initiate a review. However, the Senior Research Officer, Provost, President, or Board of Trustees may initiate a review without a written report when, in their judgment, there is sufficient concern to warrant it. The Senior Research Officer will inform all appropriate administrators, as well as the faculty or staff who are subject to this investigation
  - b. The Senior Research Officer will convey promptly to the Provost any concerns or those raised by others related to matters covered by this policy. The Senior Research Officer will forward to the General Counsel a copy of any request for review or disclosure for legal review and comment. The Senior Research Officer may forward a copy also to other administrators, on a need-to-know basis, for review and comment. All reviews and comments either by the Office of the General Counsel or by other solicited administrators will be returned to the Senior Research Officer within 7 working days.
  - c. The Senior Research Officer or designee will meet with all relevant individuals within 7 working days from the reception of the report and forward the materials immediately to the Office of the Provost with the pertinent recommendations.
  - d. If necessary, after consultation with the office of General Counsel and any others, the Senior Research Officer may ask the Provost to refer the matter to the Ohio Ethics Commission for further determination
  - e. The Senior Research Officer will give the results of any review comments from the Ohio Ethics Commission or other appropriate body in writing to those who simply requested a determination, or to those who were alleged by another to have a conflict of interest. The Senior Research Officer will also send a copy of the results to the General Counsel; Dean or administrative supervisor; Department Chair; to the person who requested the review, as the case may be, if not the principal party; and to other responsible University administrators as the Senior Research Officer deems appropriate.
5. Procedure for resolution of conflict situations
- a. The Senior Research Officer will submit to the Provost the conclusions of any case examined by the Inquiry Committee and its recommendation for resolution of the conflict. Additional or subsequent action may be recommended by the Provost or Office of General Counsel
- D. Procedure for investigation of alleged conflict of interest or conflict of commitment



1. In cases in which an allegation of misconduct by a University employee is made, the Senior Research Officer, General Counsel or his designee (s) will take the following steps:
  - a. notify the direct upper management of the person in question,
  - b. take appropriate interim actions to protect government and University funds and assure that the purposes of any governmental financial assistance are being carried out in the interim during the review process
  - c. meet with both the complainant(s) and the subject(s) thereof. Subject(s) of the allegations will be told, with specificity, the nature of such allegations and be given full opportunity to respond. They will be encouraged to supply any documentary information supportive of their position and given a reasonable time (10 working days) within which to do so. They will be encouraged to supply the names of any individuals or entities that could supply information helpful to their position or to the full and complete investigation of the matter. The individual who is charged may be accompanied by legal counsel during interviews with the Committee and/or individual members of the Committee. The role of counsel is limited to observation and advising his/her client on responding to questions.
  - d. At this time the subject of investigation will be responsible for all fees or expenses in his/her defense of allegations.
2. If the allegation of misconduct by the whistle blower prove unfounded, the University should take specific steps for redress of the rights of the unjustly subject of investigation. Among compensative actions:
  - a. the University will become responsible for the defense expenses of the subject of investigation,
  - b. the whistleblower will be subject to administrative punishment that is commensurate to his offense.
  - c. The subject of investigation will be given the option to take legal action due to perjured testimony of the whistleblower, interview any identified witness(es) and review any and all documentation that might have a bearing on the outcome of the investigation.
  - d. The University will report to appropriate Federal or State agencies and University officials in accordance with Federal and State requirements.
3. If a University employee is indeed found to have violated University policy or to



have violated the terms of a memorandum of understanding or other terms which were required by the University in order to manage or eliminate a potential conflict of interest or conflict of commitment, the Provost, in consultation with the Senior Research Officer, the Dean or administrative supervisor the General Counsel, and the inquiry committee, may recommend to the President one or more of the following disciplinary sanctions, for action by the University Board of Trustees:

- a. formal reprimand
  - b. suspension from the University for a definite period
  - c. dismissal from the University
  - d. other remedial, corrective, or other action which is deemed appropriate.
4. Illegal acts under this policy may also be subject to prosecution by state and/or federal authorities separate from any University disciplinary sanctions. A University employee may appeal a negative decision and/or disciplinary sanctions in writing to the President, with a copy to the Provost, within fifteen days of receipt of the notice of the decision. The President will consider the appeal in consultation with the Advisory Committee; Chair, Dean or administrative supervisor, Senior Research Officer, and/or Provost as he or she deems appropriate; and with the General Counsel and any other upper management that he or she deems appropriate. The President will provide a decision on the appeal to the employee with a copy to the Provost and General Counsel, within 30 days of receiving the appeal. The decision of the President will be final, subject to the approval of the Board of Trustees.
  5. In cases of allegation/accusation of wrongdoing, if as a result of this investigation the allegations are found without merit, the matter will be expunged from all personnel records of the subject of investigation, and the allegation/accusation files will be sealed and delivered to the custody of the office of General Counsel. The University recognizes its responsibility to report promptly to those involved, in public and/or in private as may be appropriate, those allegations which prove to be unsubstantiated or substantiated.
  6. All proceedings and actions should be conducted in conformity with Ohio Revised Code and Code of Federal Regulations. If it becomes apparent during the course of any review, inquiry, or investigation that there are illegal issues and/or that the conduct indicated or complained of may be criminal in nature, the University's General Counsel will be immediately notified and provided all information and documentation gathered during the investigatory process to date. The decision of how the investigation should proceed, whether the investigation is taken over by the General Counsel, or whether outside authorities, including police or other law



enfOhio Revised Codeement agencies, should be notified and involved, will be determined by the General Counsel. Criminal investigations when necessary take precedence over normal University academic or advisory reviews. Sequencing of all other reviews which may be needed will be coordinated among the Senior Research Officer, Provost, General Counsel, and President.

7. If a violation of this policy involves a collateral proceeding under University policies regarding scholarly misconduct, then the Provost will defer a final decision on sanctions until the scholarly misconduct inquiry and/or investigation process is also completed.
8. The detailed documentation of any allegation/accusation, investigation, and determination will be maintained by the office of General Counsel of the University for at least three years from the date of the determination, from the date of acceptance of a final report by the federal Office of Research Integrity or any Inspector(s) General involved, or at least three years from the termination date of any related grant or contract, whichever date is later. Documentation must be provided when required by law or upon request to authorized government authorities.
9. Departmental, college, committee, and other University records are to be retained under suitable confidentiality and may not be destroyed without the permission of the University's General Counsel and the University Archivist.

**E. University principles for research and sponsored programs**

1. The University will deal legally and ethically with external sponsors of research and sponsored programs in ways that avoid institutional conflicts of interest. The same is expected of project personnel and sponsors.
2. The University will not enter into agreements contrary to its mission.
3. The University will not accept an award for a project that is unacceptable to the principal investigator. Once an award is accepted by the University, all parties are expected to fulfill their respective obligations under that agreement.
4. The University, its faculty, and its students will retain the right to use all data for research and educational purposes and to publish results in scholarly publications in accord with University policies. A delay of no more than one year may be mutually agreed upon to permit patent filings or other legal filings. To restrict student theses or dissertations from public access for up to one year to permit patent or other legal filings, a written request must be submitted to the Dean of the Graduate School along with the final draft. The Dean of the Graduate School will then forward all copies of



the thesis or dissertation to the University Archivist with a request to withhold it from public access and the open library shelves for up to one year.

5. Meaningful participation of University students in sponsored research is expected.
6. In all cases, and at a minimum, the University will retain a perpetual, irrevocable, royalty-free right to practice and use patents, copyrights, all other intellectual property, information and/or materials resulting from or related to any sponsored project for research, testing, and educational purposes only.
7. The University will not enter into activities or agreements which could jeopardize its nonprofit tax-exempt status or conflict with its required State of Ohio or federal cost principles and/or accounting methods, including Office of Management and Budget Circular A-21 federal cost principles for educational institutions and related administrative or subsequent applicable governing regulations.
8. The University will not enter into activities or agreements which could jeopardize its eligibility to receive federal or State funds.
9. The University will not enter into contracts which are not to be governed or construed under Ohio Law.
10. The University will not accept contractual terms that require the University to indemnify or hold harmless other parties.
11. Title to intellectual property rights resulting from sponsored projects is to vest with the University. Any transfer of these rights to non-governmental entities is subject to specific approval by the Board of Trustees of the University. An option or a license may be negotiated in good faith and under reasonable terms and rates to share rights through a license with the sponsor, on a non-exclusive, exclusive-by-field-of-use, or similarly limited basis.
12. The University will not enter into agreements in which the names of the parties or the facts and terms of the agreement cannot be revealed, but the specific topic of the research may be kept confidential.
13. The University will not make any warranties, express or implied, including but not limited to, implied warranties of merchantability and fitness for a particular purpose.
14. The University prohibits use of its name or marks or intellectual property by another without its specific prior written permission.
15. The University will take title to all equipment and supplies acquired under any



sponsored agreement, unless covered under a specific and separate written agreement executed by an authorized representative of the University and that sponsor.

16. The University routinely utilizes the personal services of University employees, visiting professionals, students and others who may not be United States citizens or permanent resident aliens of the USA. Sponsoring or collaborating agencies must assume responsibility for inquiry and/or waivers, in advance of entering into any agreement with the University, under the Federal Export Administration Regulations, International Traffic in Arms Regulations, and/or similar or subsequent regulations concerning participation in research by or dissemination of data to foreign nationals.

**F. Policies and procedures governing scholarly misconduct**

1. While encouraging freedom of inquiry, The University of Akron is committed to the scientific method and the ethical conduct of research. Scholarly misconduct by employees, visiting scholars, or students in research and scholarship—broadly construed as applying to scientific experimentation, artistic expression, and all other areas of scholarship in any discipline—is not in the spirit of the mission of the University and therefore is not acceptable.
2. Investigations of alleged scholarly misconduct are conducted within the scope of the law and limited to the discovery of information that would support or refute the allegation. Adverse findings may provide grounds for disciplinary action, up to and including dismissal from the University.
3. The scholarly misconduct policy governs any type of university-related research or scholarship that is publicly disseminated, either by presentation (formal or informal) or publication. Examples include: 1) research or scholarship that is directly or indirectly funded by the university (such as research incidental to normal employment activities or research funded by a grant awarded to the University) or 2) research that is conducted with a more-than-insignificant use of University resources, including facilities, equipment, services, personnel, or confidential or proprietary data.
4. Inquiry and investigation procedures for scholarly misconduct
  - a. Reports of alleged scholarly misconduct may be submitted in writing to, and will be investigated under the direction of, the Senior Research Officer. In addition, the Senior Research Officer, the Provost, the President, or Board of Trustees may themselves initiate such an investigation without a written allegation.
  - b. Investigations of alleged scholarly misconduct are conducted by an impartial Inquiry Committee formed by the Senior Research Officer. The Inquiry



Committee is advised by the Office of the General Counsel. Members of the Inquiry Committee are individuals with no real or potential conflict of interest with regard to the alleged misconduct, and with the necessary background to investigate it.

- c. If the subject of investigation is an employee or assignee of an academic unit, the Inquiry Committee consists of two full-time faculty members from the college of primary appointment of the subject of investigation and one full-time faculty member from each of three different colleges or universities.
  - d. If the subject of investigation is not an employee or assignee of an academic unit, the Inquiry Committee consists of two members appointed by the Vice President to whom the subject of investigation reports and three members appointed by the Senior Research Officer.
  - e. The composition of the Inquiry Committee is not necessarily limited to University of Akron employees.
  - f. The subject of the investigation may object to the selection of specific members, with foundation, in writing to the Senior Research Officer.
  - g. Inquiry Committee chairs are elected by the Committee. If the subject of investigation is a faculty member, the chair's primary appointment must be in a different college.
  - h. If the inquiry raises questions about the protection of human subjects, ethical animal care and use, radiation safety, biohazards, and/or campus safety, the Inquiry Committee will contact the appropriate University inquiry committee for assistance. At the request of the Inquiry Committee or the Senior Research Officer, a member of each appropriate inquiry committee may be added as an ex-officio but non-voting member of the Inquiry Committee.
5. The guidelines for the operation of the Inquiry Committee are as follows:
- a. The work of the Inquiry Committee is divided into two processes. The process that occurs first is the Preliminary Review of charges of scholarly misconduct to determine if a charge of misconduct will stand. The second process that may occur is a Formal Investigation of charges of scholarly misconduct.
  - b. When charges of scholarly misconduct are filed against an individual the Senior Research Officer notifies the individual of the substance of the charges in writing.
  - c. The Inquiry Committee conducts interviews with appropriate individuals and



collects relevant information. The Senior Research Officer provides the Committee with all information provided to him/her in the filing of the charge.

- d. The individual who is charged may be accompanied by legal counsel during interviews with the Committee and/or individual members of the Committee. The role of counsel is limited to observation and advising his/her client on responding to questions.
- e. After collection, review, and discussion of factual information the Committee submits a written report of their findings to the Senior Research Officer and the individual charged with one of two recommendations:
  - i. the charges are without merit and the matter should be expunged from all personnel records of the individual charged and the files of the Committee sealed and delivered to General Counsel or
  - ii. the charges have merit and warrant a Formal Investigation.
- f. The written report of the committee following the Preliminary Review must be completed within 30 days of the notification of charges to the individual by the Senior Research Officer. The Formal Investigation must begin within 15 days from the completion of the Preliminary Review. A written report of the Formal Investigation must be completed and submitted to the Senior Research Officer within 60 days of the notification of the charges to the individual.
- g. Written reports of the committee must contain evidence reviewed, summaries of all interviews conducted, and the conclusion/recommendation of the Committee.
- h. The Senior Research Officer provides a copy of the Committee's report(s) to the individual charged.
- i. The individual charged can provide written comments on the proceedings of the Committee and these comments become part of the permanent records of the Committee's proceedings.
- j. If the recommendation of the Committee, at the conclusion of the Preliminary Inquiry, is that the charges are without merit and the matter should be expunged from the personnel records of the individual charged and the Senior Research Officer does not agree with this recommendation, the Senior Research Officer informs the Provost of such and directs the Committee to begin a Formal Investigation of the charges.
- k. The individual charged must be notified in writing that a Formal Investigation is



to be conducted. This notification includes details of the charges of misconduct, summary of the general nature of the evidence supporting the charges, and statements as to the rights of the individual charged to a) have a hearing, b) confront and cross-examine adverse witnesses, c) be heard in person and d) present witnesses and documentary evidence, and to have legal counsel at his or her expense with the same limitations as in the Preliminary Review.

- I. If a Formal Investigation is to be held, the Senior Research Officer or designee takes appropriate administrative actions to protect federal funds and to ensure that the purposes of any federal financial assistance is being carried out. The Federal Office of Research Integrity, located within the National Institutes of Health of the Public Health Service, is notified that an Investigation is being conducted
  - i. the subject of investigation may have private legal counsel, but the role of the subject of investigation employee's legal counsel will be limited in the same manner as in the initial inquiry
  - ii. the Inquiry Committee will inform the Senior Research Officer, who will promptly notify the Federal Office of Research Integrity of:
    - (a) any reasonable indication of possible criminal violation
    - (b) any developments during the Investigation that disclose facts that may affect current or potential federal funding for the individual(s) under Investigation or facts that the federal agency needs to know to ensure appropriate use of federal funds and otherwise protect the public interest
  - iii. in executive session the Inquiry Committee will seek, examine, and evaluate all relevant facts, including but not limited to the charges, consider any written responses to the charges by the subject of investigation, report by experts, advice of consultants, etc. However, the subject of investigation has the right to request a public hearing or a private hearing before the committee at which time the subject of investigation will have the right to present any explanation or rebuttal, to question any complainant, and to question the committee
  - iv. for allegations substantiated by the formal proceedings, the Senior Research Officer will inform appropriate funding agencies of the allegations and findings regarding the scholarly misconduct
  - v. the Senior Research Officer will report findings and recommend further action to the Provost



- vi. The Provost may recommend to the President one or more of the following disciplinary sanctions, for action by the University Board of Trustees:
    - (a) formal reprimand
    - (b) suspension from the University for a definite period
    - (c) dismissal from the University
    - (d) other remedial, corrective, or other action that is deemed appropriate
  - vii. illegal acts may also be subject to prosecution by state and/or federal authorities
  - viii. a University employee may appeal a negative decision and/or disciplinary sanctions in writing to the President, with a copy to the Provost, within fifteen days of receipt of the notice of the decision. The President may consider the case in consultation with the Committee, Senior Research Officer, Provost, Chair, Dean or administrative supervisor, as he/she deems appropriate; and with the General Counsel. The President will provide a decision on the appeal to the subject of investigation, with copy to the Provost, Senior Research Officer, and the General Counsel, within 30 days of receiving the appeal
  - ix. the decision of the President will be final, subject to the approval of the Board of Trustees
6. If as a result of this Investigation the allegations are found without merit, the matter will be expunged from all current personnel records of the subject of investigation, and the accusation file will be sealed and delivered to the custody of the office of General Counsel.
7. The University will report promptly to those involved, in public and/or in private as may be appropriate, those allegations that prove to be unsubstantiated and those allegations that are substantiated
8. If it becomes apparent during the course of any review, inquiry, or Investigation that there are illegal issues and/or that the conduct indicated or complained of may be criminal in nature, the University's General Counsel should be immediately notified and provided all information and documentation gathered during the investigatory process to date. The decision of how the Investigation should proceed will be determined by the General Counsel. Criminal Investigations take precedence over normal University academic or advisory reviews. Sequencing of any other reviews



will be coordinated among the Senior Research Officer, Provost, General Counsel, and President

9. If a violation of this policy involves a collateral proceeding under University policies regarding a conflict of interest or conflict of commitment, then the Senior Research Officer will institute the conflict of interest and/or conflict of commitment review(s), but the Provost will defer a final decision or sanctions on that matter until the scholarly misconduct inquiry and/or Investigation procedure is completed
10. The detailed documentation of any allegation, accusation, inquiry, Investigation, and determination will be maintained by the office of General Counsel of the University for at least three years from the date of determination, date of acceptance of a final report if any from the federal Office of Research Integrity and/or any Inspector(s) General involved, or at least three years from the termination of any related grant or contract, whichever date is later. Documentation must be provided when required by law or upon request of authorized government authorities
  - a. departmental, college, committee, and other University records are to be retained confidentially to the extent permitted by law and may not be destroyed without the permission of the University's General Counsel and the University Archivist.
11. A whistleblower who raises or wishes to raise an allegation against a University employee of scholarly or scientific misconduct or related wrongdoing must respect the confidentiality of sensitive information and give legitimate institutional structures an opportunity to function in resolution of the matter. Whistleblowers and other witnesses have responsibility to raise their concerns honorably and only with foundation. The University has a duty to undertake review and actions as appropriate and not to tolerate or engage in retaliation against good-faith whistleblowers. This duty includes providing appropriate and timely relief to ameliorate the consequences of actual or threatened reprisals, and holding accountable those who retaliate.

#### G. Definitions

1. Business Associate- Any person legally linked with the employee in business contracts, partnerships, firms, enterprises, franchises, trusts, joint ventures, finances, real estate, or in other for-profit legal entities or agreements
2. Central Administrative Officer- either the Senior Research Officer or the Executive Director for Human Resources
3. Compensation- Money, financial benefit or things of value. Compensation does not include reimbursement for actual and necessary expenses incurred in the performance of official duties or for actual and necessary expenses reimbursed for services to non-



profit organizations and outside professional associations and related organizations

4. **Conflict of Commitment-** A real or apparent competition of outside activities such that an independent observer might reasonably question whether the employee's professional actions or decisions are or will be adversely affected by competing outside activities and interests to the detriment of the University and its mission
5. **Conflict of Interest-** A real or apparent divergence between a University employee's private interests and his or her professional obligations to the University, such that an independent observer might reasonably question whether the individual's professional actions or decisions are or could be determined by considerations of private gain rather than by potential benefit to the University mission
6. **Family Member-** Spouse, children (whether dependent or not), parent, sibling, or a person residing in the same household as the employee
7. **Financial Interest-** Anything of monetary value, including but not limited to salary or other payments for services (e.g., consulting fees); equity interests (e.g., stock options or other ownership interests); intellectual property rights (e.g., patents, copyrights, trademarks, trade secrets and royalties from such rights); and any other interest which an employee has in a business enterprise outside the University
8. **Intellectual Property-** An all-encompassing term now widely used to designate as a group at least all of the following: patents or patentable inventions, trademarks, copyrights, trade secrets, and the rights of publicity
9. **Invention-** A discovery or development which may be patentable (novel, useful, and non-obvious), and certain types of computer software
10. **Investigator-** A principal investigator, project director, co-investigator, or any other person at the University who is responsible for the design, conduct, or reporting of research or educational activities funded by an external sponsor
11. **License-** A permission to use a right to intellectual property under defined conditions
12. **Mission-** The University's mission, including teaching; research; scholarly and creative activities; and community and public service
13. **Outside Activities-** Outside professional association activities and outside consulting activities
14. **Outside Consulting Activities-** Activities of University employees, other than their employment obligations to the University, performed for compensation above actual



and necessary expenses or honoraria. These do not include outside professional association activities. These may or may not involve conflict of interest or conflict of commitment.

15. Outside Professional Association Activities- Uncompensated activities (except for actual and necessary expenses and honoraria) such as, but not limited to, those involving recognized professional associations and societies or scholarly or advisory bodies related to academic work or disciplines; serving on public commissions or boards of philanthropic organizations; presenting guest lectures or scholarly papers at academic or professional conferences; leading or participating in seminars, workshops, or short courses sponsored by academic, government, or nonprofit organizations; serving on review panels or accreditation teams; visiting colleagues or model programs at other universities or public or nonprofit institutions. Such uncompensated activities are not considered outside consulting activities.
16. Private Gain- Acquiring something of value, profiting, receiving payment, or otherwise receiving some form of personal financial or material increase or compensation for self or family member(s), from The University of Akron
17. Provost- The Senior Vice President and Provost
18. Quarter- any three consecutive calendar months
19. Scholarly Misconduct- Academic and/or scientific misconduct construed so as to encompass misconduct in the physical sciences, natural sciences, health sciences, social sciences, humanities, professions, fine arts, applied arts, in artistic expression and in all other academic fields within the University. Terms and categories of misconduct will be deemed to have those meanings and interpretations as reflected by their common usage and understanding in an academic and research community. At The University of Akron, each department is the judge of these meanings and interpretations. Scholarly misconduct is intended to include within it but is not limited to the definitions of the American Association of Universities' broad categories of classification of scientific misconduct and the Federal definitions as published by the National Institutes of Health of the U.S. Public Health Service, U.S. Department of Health and Human Services, and of the National Science Foundation, as amended. Scholarly misconduct includes:
  - a. Plagiarism
  - b. Falsification of discovery
  - c. Theft of another's discoveries, scholarly work, or creations



- d. Violation of accepted scientific procedures in making discoveries
  - e. Falsification of data
  - f. Abuse of confidentiality
  - g. Practices that seriously deviate from those that are commonly accepted within the scientific or academic community or discipline for proposing, conducting, or reporting research (not including honest error or honest differences in interpretations or judgments of data) or in publication, except that this is not intended to cover research or proposals or publications that may be protected as an exercise in academic freedom
  - h. Material failure to comply with Federal requirements, including protection of researchers, human subjects, and the public; and/or to ensure the welfare and ethical care and use of laboratory animals
  - i. Failure to meet other material legal requirements governing research or sponsored programs
20. Senior Research Officer- The University administrator named by the University to represent the University at the OhioBoard of Regents as chief Research Officer
21. Significant Financial Interest- A financial interest beyond the following:
- a. An equity interest in an entity that does business with The University of Akron that, when aggregated for the employee and the employee's family members, meets one of the following tests: exceeds \$10,000 in value as determined through reference to public prices or other reasonable measures of fair market value, and represents more than a five percent (5%) ownership interest in any single entity
  - b. Salary, royalties, or other payments that, when aggregated for the employee and the employee's family members, exceeds \$10,000 in an entity doing business with The University of Akron
  - c. A significant financial interest does not include:
    - i. Royalties or royalty-type income/remuneration from the University itself
    - ii. Income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities
    - iii. Income from service on advisory committees or review panels for public or



**nonprofit entities**

22. **State-** State of Ohio
23. **Technology Transfer-** Conveyance from one party to another of knowledge, methods and/or materials used to apply science, especially to industrial or commercial objectives; and/or conveyance of intellectual property, whether through license or otherwise
24. **University-** The University of Akron
25. **Whistleblower-** A University employee or student who reports what may be illegal or wrongful activities of the University and/or its employees



APPENDIX H**UNIVERSITY WELL-BEING COMMITTEE  
RECOMMENDATIONS ON GROUP HEALTH INSURANCE - NOVEMBER, 1998**

The University Well-Being Committee (UWBC), drawing upon the findings of the Group Health Initiative Meetings held in the Spring of 1998, using the resources of KPMG Peat Marwick and Benefits Administration at The University of Akron, and relying on feedback from faculty and staff of the University, submits the set of recommendations noted below to the Faculty Senate.

The UWBC views with concern the request to evaluate our healthcare plan and the recommendation of options that may not be as beneficial to the individual employee as the plan now in place. It has been documented that salaries at The University of Akron are low when compared to other state-supported schools and comments made at the Group Health Initiative Meetings indicated that some people came to the University because of the health benefits. For those employees who choose to stay with a Traditional Indemnity plan, the required monthly contribution results in, effectively, a decrease in salary. The UWBC therefore considers that highest priority be given to the following points:

1. The new health plan, when instituted, will have no overall net negative change in the salary and benefit pool, and any overall initial savings will be put toward improving the salary/benefit package available to employees, possibly including improvement of the dental, vision, and long-term disability benefits.
2. Employees will have a healthcare choice, without regard to the geographic area in which they live.
3. Contributions to cover a Traditional Indemnity plan, as well as deductibles and out-of-pocket maxima in the Indemnity and PPO plans will be graduated according to compensation level such that those least able to pay will be the least affected. The idea of a graduated contribution with fixed deductibles and out-of-pocket maxima was considered for the Indemnity Plan. It was the opinion of the committee, however, that fixed, low-level deductibles and out-of-pocket maxima, necessary to accommodate those at lower salary levels, would increase the overall cost of the plan and result in higher net costs for those at higher salary levels.
4. There will be no changes in other aspects of the present plan (such as Flexible Spending Accounts) and the life insurance options will remain the same.
5. With the recognition that the University must be able to contain healthcare costs, we also recognize the need that any cap the University places on healthcare costs be flexible, being dependent upon a reasonable medical-care cost trend factor.
6. Given the importance of health benefits to faculty and staff, three members of the UWBC should be included in the group that will design and review bids for the plan.
7. A survey evaluation and review of healthcare must be conducted and reviewed by the UWBC after two years; prior to the selection of new providers for the period from 2000-2002, a survey on the present indemnity and HMO providers will be conducted.
8. An independent audit of payments made by the University to healthcare providers should be conducted for the PPO and Indemnity plans; such an audit must not result in any net cost to the University.



9. For part-time faculty now able to purchase health coverage through the University, the possibility of purchasing coverage through the Indemnity plan and the PPO as well as the HMO will be investigated; those individuals will have at least one option for health care coverage.

With the above points in mind, the UWBC recommends that in January, 2000, the University move to a system that includes three basic plans from which the full-time faculty and staff may choose: a Traditional Indemnity Plan, a Preferred Provider Organization, and multiple Health Maintenance Organizations. The outline of recommendations for each plan is as follows:

**A. Traditional Indemnity Plan**

1. The Traditional Indemnity Plan as it now exists will be continued with the 90% reimbursement level only.
2. Recognizing cost savings available from the PPO and HMO choices, the Traditional Indemnity Plan will be contributory.
3. Such a contribution as noted in 2 should be implemented in phases: the first phase will require the employee to pay 50% of the difference of the cost between being part of the Indemnity Plan and part of the PPO (2000-2002), the second phase will require 75% of the difference to be paid (2002-2004); at the start of the year 2004, the employee will be paying the full difference between the two plans.
4. Following the initial phase-in, the contribution increases for those covered by the Indemnity Plan should be limited by a reasonable medical-care cost trend factor.
5. The contribution for those wanting to remain in the Traditional Indemnity Plan should be imposed for all groups taking part in that plan (employee only, employee plus children, employee plus spouse, employee plus spouse and children).
6. The contribution required for the Indemnity Plan will be known by employees prior to making their group health choices in the Fall of 1999.
7. Contribution levels, levels of deductible and out-of-pocket maximum amounts will be graduated by compensation levels and six (6) gradations of salary will be used.
8. The Indemnity option will retain a prescription drug plan with a copayment format.
9. The Indemnity plan contributions will be pre-tax.

**B. Preferred Provider Organization (PPO)**

1. No contributions will be required for the PPO.
2. Levels of deductible and out-of-pocket maximum amounts will be graduated by compensation levels and six (6) gradations of salary will be used.
3. The PPO selected will match the hospital charge utilization and the professional charge utilization of the existing indemnity plan as closely as possible.
4. When selecting PPO providers, special consideration will be given to employees in Medina, Wayne, Stark, Portage, and Cuyahoga counties, in addition to Summit County, so that a PPO option may be made available to them; if possible, this will include contracting a second PPO to cover the unserved counties.
5. The PPO option will include a prescription drug plan with a copayment format.



6. After meeting appropriate deductibles, in-network reimbursement will be at a 90% level up to the out-of-pocket maximum while out-of-network reimbursement will be at a 70% level up to that appropriate out-of-pocket maximum.
7. The PPO option should include items, such as a copayment system for physician office visits, that make the plan usable to those needing only routine medical care or preventive care.
8. The PPO must be an organization of recognized high quality.

**C. Health Maintenance Organization(s) (HMO)**

1. No contributions will be required for the HMO.
2. When selecting HMO providers, special consideration will be given to employees in Medina, Wayne, Stark, Portage, and Cuyahoga counties, in addition to Summit County, so that an HMO option may be made available to them.
3. The HMO option(s) will include a prescription drug plan with a copayment format.
4. Any HMO chosen must be a high-quality, accredited organization.



APPENDIX I**REPORT OF THE FACILITIES PLANNING COMMITTEE TO FACULTY SENATE,  
DECEMBER 3<sup>RD</sup>, 1998****1. November Meetings of CFPC**

CFPC has met three times since the last Senate Meeting: on November 13<sup>th</sup>, 19<sup>th</sup> and 30<sup>th</sup>.

On November 13<sup>th</sup>, the Committee:

- completed its list of priorities for new and renovated buildings (information incorporated in *Comments for Sasaki*)
- received from Dr Chyi report on Academic Renovation Project Review Committee. 80 small renovation projects were submitted, 57 were eligible using criteria. 21 were the highest ranked (with 10-15 points) and were those initially funded.
- discussed preparation of written comments on the topics for discussion with Sasaki: current facility program requirements, campus land use, circulation (vehicular & pedestrian), parking, open space, infrastructure and community context.

On November 19<sup>th</sup> the Committee:

- met with Sasaki and Associates, the consultants on the Campus Development Guide Plan. They presented the overall framework of campus space development based on their earlier meetings in 1995-96. They sought input from the Committee on the topics listed earlier, for development of their draft final plan. They will be returning to campus with their draft version of the plan on December 14<sup>th</sup> and 15<sup>th</sup>. The Committee will be meeting with them again at that time.

On November 30<sup>th</sup> the Committee:

- reviewed the meetings with Sasaki (those with CFPC, the General Committee and the Board Facilities Planning & Oversight Committee).
- affirmed the written comments on the list of topics provided by Sasaki: *Comments to Sasaki*, which had been submitted to the consultants. Copies have been sent to the President and Provost a copy is included in the *Chronicle*. Issues relating to that report may be brought to the Senate in forthcoming meetings.
- discussed and passed the recommendation listed under Action Item 1.

**2. Re-evaluation of interim hazardous waste facility (Interim Research Support Facility)**

At the October 26<sup>th</sup> meeting of CFPC, Ms Calderone, EOHS Manager presented five alternative solutions, with their advantages and disadvantages. The option of the present situation was not acceptable, as was the option of picking up from each lab site. Apart from the option of Whitby Hall, already discussed, there was the option of dividing the problem into two parts: upgrading the Knight Chemical Waste site to deal with bulk liquid chemical waste and providing a building on the "pad" to sort and store dry chemicals.

For Knight, it would involve adding an exhaust stack, hood and ventilation. Then five gallon liquid waste containers from labs would be transferred into 55 gallon drums and stored until pickup. The Knight facility already has a good loading dock, explosion release panels and water. Funds for this modification (\$55,000) are available.

The present "pad" near Knight Hall would be used to build either a permanent building or pre-engineered building for sorting and storing the dry chemicals, which make up a large percentage of present materials. The problems of providing an adequate facility on the "pad" for both liquid and dry wastes would be avoided. Clearly this would only be an interim solution, until a permanent Research Support Facility is built. The Committee included this building in its highest priority list passed by the Senate at its November meeting.

After discussion the Committee passed Action item 2 to be transmitted to the Senate



**ACTION ITEMS FROM CAMPUS FACILITIES PLANNING COMMITTEE****1. Concerning decisions on the future use of Polskys.**

The Committee has been involved in discussion of overall campus planning, most recently with Sasaki & Associates, consultants on the Campus Development Guide Plan. We are concerned that a decision on the future use of Polsky's be made as soon as possible. Building priorities depend on the decision, because 200,000 sq ft of space would be needed to replace it and its use or non-use affects the overall plan for the campus. However, we are concerned that this decision be made with adequate evaluation of its consequences and input from those concerned.

**That CFPC asks the Senate to recommend that the decision on the future use of Polsky's be carefully examined in light of the goals and strategies of the University. This examination should include such things as interviews with the units involved and consideration of the replacement costs and the alternative uses of those funds. We ask that the results of any such evaluation be reported to the Senate and to the Board.**

**2. Re-evaluation of Interim Research Support Facility.**

The Senate requested CFPC to bring to the December meeting a re-evaluation of the proposed interim sites for hazardous wastes. After evaluating several options provided by Environmental Health and Occupational Safety (EOHS), including Whitby 68, the Committee agreed on the option which split the problem into two parts. It passed the following resolution for action by the Senate:-

**Campus Facilities Planning Committee recommends**

- (a) the changes suggested by EOHS for Knight Chemical Lab, namely an exhaust stack, hood and ventilation, to make it an effective interim facility for storage of flammable substances.**
- (b) The construction of a permanent or pre-engineered facility on the present "pad" for sorting and storage of dry materials. The University architect should determine the cost and time needed for these two options and provide them to the President for his consideration. We should move as rapidly as possible towards this new interim facility.**

**We further note that there needs to be a decision on and funding found for a permanent Research Support Facility as soon as possible.**



**THE UNIVERSITY OF AKRON  
INTEROFFICE MEMORANDUM**

**DATE:** November 20<sup>th</sup>, 1998

**TO:** Sasaki & Associates

**FROM:** Campus Facilities Planning Committee, University of Akron

**SUBJECT:** COMMENTS ON CAMPUS DEVELOPMENT GUIDE PLAN ISSUES

**Overall Comment:**

The Committee is unclear on the goals and overall objectives of the Campus Development Guide Plan: what one of us called its "underlying values". There does not seem to be a clearly stated vision for us to agree with or critique. As a result examination of the 1996 Sasaki document today is difficult. Clearly today a different set of buildings are suggested and potentially a different group of students are to be attracted, but an overall statement of purpose is necessary. We have used the new draft "Master Academic Plan" as a source of goals and strategies.

**1. Current facility program requirements**

The Committee has spent considerable time this semester evaluating priorities for new buildings which may be financed through the Campus Financing Plan. The list we developed, with our priority groupings, is attached (Appendix). It is based on the list submitted for consideration to the Board's Facilities Planning & Oversight Committee, with our additions.

We realized, however, that there was an essential first step before any effective list of buildings could be devised. A decision must be made concerning Polsky's. Building priorities depend on it, because 200,000 sq. ft of space would need to be found to replace it. Delay in the decision prevents any needed changes in making the building more effective if we do keep it (\$3.8 million of allocated funds are unspent) and C&T college enrollment is being affected.

The Committee differs on what should be done with Polsky's. Some feel that it takes students and services away from the center of the campus and that it cannot be used effectively. Others consider that we would be moving just as things are changing downtown; that C&T students like classes in one space and close parking (since the Parking Deck renovation), that security issues have been addressed and that it could be a focus for community interaction if its use were planned effectively. (See e-mail memo from D. Markovich.).

**Group 1: Priorities & Rationale**

The Committee developed building priorities with and without Polsky's. Group 1 (see also Appendix) is highest priority in either case and includes projects already in process, so the items are not ordered: - Phase I dorms (not including new food service); Olin II; Polymer research building; S&T library and ASC parking deck modified for classrooms and labs); Research Support building (for hazardous materials); street closings and Lot 1 parking deck.

Rationale for Group 1: The academic building projects support the goals of achieving Carnegie Research II status (Goal 1) and emphasizing quality of research and teaching (Goal 2). Our additions to the original list were the Research Support Facility and remodeling the part of the Auburn Science Center parking deck not used for the Science and Technology Library for labs and classrooms. We stress especially the importance of the Research Support Facility to deal with hazardous materials. It is essential in order to be closer to compliance with EPA standards (Goal 14, strategy b.) The renovation of ASC allows for more effective use of poor parking space at a reasonable cost.

The dorm renovation reflects an initial step to enhance the quality of life on campus (Goal 4, strategy a) and supports the strategy requiring freshmen beyond the 5 county area to live in dorms (Goal 4, strategy f). It meets our goals of parallel improvements in academic and service areas. Street closings are essential as an initial step to further campus improvements (Goal 4). New parking needs to replace the ASC parking deck.

**Group 2: Priorities & Rationale**

Group 2 (with no change in Polsky's): 1. Student Center, 2. Student Administration Building, 3. Computer Center 4. Dining Services, 5. Whitby Hall renovation. We ordered these projects because funding all buildings in the group could be a problem.



**Rationale & comment:** Our ranking reflected again the need to parallel academic facility improvement with improvement in quality of life for students. Students have indicated that the services of the Student Center are of major importance (Goal 4). Streamlining and improving student administration is also a major strategy (Goal 4, strategy f).

Our evaluation of student needs was based on the Institute for Policies Studies *Student Amenities Survey*, January 1998. We note that the Faculty Senate discussed and rejected on methodological grounds the earlier survey by Brailsford Associates. We stress the needs of the full or part time students who work (70% work 10 hours or more) and therefore commute (even if they live near campus), rather than the small minority (perhaps 3000 or so) who can or will in the future live on campus (and we note that these also may work). Our recommendations for the Student Center therefore emphasize food service space, study space, computer access and convenience store access (*Survey*, p 18).

We also consider that the Student Administration/Services Building should be adjacent to the Student Center, to allow effective centralization of services to time-constrained students. Student Services could be consolidated- for example it has been suggested to us that Advising, Counseling, Health Services and Services for Disabled students should all be found there, as well as Admissions and Registration. Given today's technology, some of those in non-service roles in Registration etc. could be housed elsewhere. We support a central location for both facilities, at or near the present Student Center, but understand the problems of finding alternative sites for activities in Carroll and Memorial Hall if they were demolished.

Group 2 includes the Computer Center as an addition to the original list. Its present building is the likely site of the Research Support Building, which must be close to the buildings generating hazardous wastes. Location and size of a new Computer Center requires evaluation of its role in providing computer labs. One tentative site could be near, or as an addition to the main library. We therefore note that sufficient footprint for library expansion needs to be available.

### **Group 3: Priorities & Rationale**

Group 3(not in order of priority): -Student Recreation Center, Dorms Phase II, Parking Decks: Buckingham, ASC Phase III, Guzzetta addition.

**Rationale:** Again we tried for a mix of academic and service buildings which might need to wait. The Student Recreation building was listed in Group 3 because in the *Survey* students while interested in some form of Center did not want to pay much extra in fees. We stress also the results of the survey- that students want a Fitness Center, rather than a Recreation Center with major gym and game facilities (*Survey p 25,28*). This would reduce the size and costs of any such center.

### **Priorities with a move from Polsky's**

If there is a move from Polsky's, **Group 2 priorities change.** Instead of the Student Center and Administration Buildings, our first three priorities would be: - 1. A new building for C&T, 2.Addition to Guzzetta and 3. Shrank renovation.

**Rationale:** C&T needs a single building so they can maintain their specific and separate identity, attracting two year students, and having a close tie to the community. A significant addition to Guzzetta would be needed to house Social Work and Speech Pathology (as well as Ballet, who must leave their present site). With Shrank renovation, there might then be the additional 200,000 sq. ft of urgently needed space.

### **Other priorities**

More access to ChildCare Facilities is needed, given our non-traditional and evening student population. The results of a current study by CFPC's sub-committee on childcare, based on an Institute of Policy Studies Survey, should be considered when determining type and location.

Support services of Police and Safety could be usefully moved to sites which are not at the periphery of campus. Safety could be located near the Research Support Facility and the Police in remodeled parking facilities at Shrank Hall South or Robertson.



The Committee notes that further data on expansion/modification needs for present buildings are necessary, with improved classroom quality goals. A comment on library data in the Sasaki document of 1996: the demand estimates in this material are confusing and need further investigation. Note that Bierce space also is used for AV and Distance Learning and the square footage per person should be 30 not 25. An expanded S&T library is essential - square feet per student have been inadequate for 10 years or more and journals published before 1990 must go to storage.

## **2. Campus Land Use**

The Committee welcomes the recently proposed street closings and the idea of defining campus boundaries. Members of the Committee have suggested that exploration of possible campus expansion include: - the areas along Wolf Ledges, the Mayflower as well as Fir Hill Towers for family or graduate student living,, and encouragement to obtain Central Hower High School. We understand issues of expansion for athletic fields and/or stadiums (the 25 acre shortage) but give them lower priority than academic and student service facilities where there are working students and long winters.

## **3. Circulation (vehicular & pedestrian)**

Access to parking, given the street closings should be considered carefully. Parking needs to allow rapid pedestrian movement to classrooms (commuters need to return to jobs).

Handicap accessibility is important and vehicular/pedestrian issues for them need to be addressed. We stress here that all aspects of ADA compliance should be improved and that doing so should be part of any long-term campus plan.

## **4. Parking**

We consider that movement of parking to the campus perimeter to allow green space is appropriate, as long as walk lengths to buildings are such that commuters need to move to and from work rapidly. This also applies to faculty.

Are parking decks being considered to West (lot 1) and East (off Route 8 ramp)? If so, is there consideration of a deck to N near Wonder Bread? If Spicer parking area is used for Recreation Center etc. then there needs to be parking deck behind JAR.

## **5. Open Space**

Expansion of green spaces is important and good landscaping is essential. Consideration of the use of perennial plants (as at KSU) is important for aesthetics and maintenance cost.

Some consider that removal of buildings to obtain green space is justified, with possible building removal in the order: - Memorial, Carroll, Leigh and Zook. Others consider that building removal is hard to justify, and renovation should always be considered v cost of building replacement.

## **6. Infrastructure**

Evaluation of technology needs for buildings and planning for effective cabling is needed in advance. All data transfer issues need to be reviewed.

Campus building maintenance must be addressed -about \$50 million of deferred maintenance exists.


Storage needs should be considered (e.g. buying Goodwill building).

## **7. Community context**

The campus relationship to the city seems confused. What is the vision for us? And for the city? In the past there was "across the tracks": what is it now? There needs to be more focus and determination of effective presence. If Polsky's is kept then it could be used more actively as such a focus (for e.g. having a coffee house/bookstore onto Main St.). If it not kept, can we place Continuing Education again in the Buckingham building? Other interactions could involve business and law school libraries.

At moment we have interaction with the community through EJ Thomas, but less effectively through JAR where we want to encourage visitors to watch games.

Respectfully submitted :

  
Elizabeth B. Erickson, Chair, Campus Facilities Planning



**APPENDIX: PROPOSED LIST OF BUILDING PRIORITIES****Keeping Polsky's****Not keeping Polsky's****GROUP 1 (highest priority)**

**DORMS PHASE I  
 OLIN II (A&S BUILDING)  
 POLYMER RESEARCH BUILDING  
 S&T LIBRARY  
 RESEARCH SUPPORT BUILDING\*  
 ASC DECK/CLASSROOMS\*  
 STREET CLOSINGS  
 PARKING DECK: LOT 1**

**as to the left**

**GROUP 2 (high priority)**

- 1. STUDENT CENTER**
- 2. STUDENT ADMINISTRATION BUILDING**
- 3. COMPUTER CENTER\***
- 4. DINING SERVICES**
- 5. WHITBY RENOVATION**

- 1. C&T BUILDING\***
- 2. LARGER ADDITION GUZZETTA\***
- 3. SHRANK RENOVATION\***
- 4. STUDENT CENTER**
- 5. STUDENT ADMINISTRATION**
- 6. COMPUTER CENTER**
- 7. WHITBY RENOVATION**

**GROUP 3**

**STUDENT RECREATION BUILDING  
 DORMS PHASE II  
 PARKING DECKS: BUCKINGHAM  
 ASC PHASE III  
 GUZZETTA ADDITION**

**as to the left**

**\* CFPC additions to Campus Financing Plan list**



**Subject: Re: information for Sasaki**  
**Date: Tue, 17 Nov 1998 17:39:59 -0500**  
**From: Dolli Markovich <dolli@uakron.edu>**  
**Organization: The University of Akron Graduate School**  
**To: Dr Elizabeth Erickson <ee2@uakron.edu>**

Dr Elizabeth Erickson wrote:

- > *Current facility program requirements*
- > *Campus land use*
- > *Circulation (pedestrian & vehicular)*
- > *Parking*
- > *Open Space*
- > *Infrastructure*
- > *Community context*

My main concern regarding the Sasaki study is that adequate consideration be given to the "fit" of the Polsky Building. Given the apparent resurgence of the downtown area, the preliminary discussions regarding a possible arena in the downtown/UA area, and the likelihood of the new president and the mayor working together toward common goals for the good of the community, it seems premature to "dump" our foothold on Main Street.

While the Polsky Building may seem to be a "white elephant," it provides much needed classroom space and administrative space. Indeed, both the Undergraduate and Graduate Bulletins tout the building as the "largest academic building in Ohio" which, on paper, is quite impressive. In fact, I believe it would not be too far-fetched to develop Polsky's as the key building in which to house UA's Community and Technical College, "the only two-year college within Summit County" (as the advertisements go...). Additionally, access to the building has been increased with the completion of renovations to the attached parking deck.

Problems with the Polsky Building include inadequate (or nonexistent) signage, poor custodial services, and inappropriate traffic through the building by non-University people. However, since the addition of campus police kiosks and the locking of superfluous doors, the "street people" problem has been significantly reduced. I also believe that some consideration has been given recently to increased janitorial services.

The building should be identified as either viable or not viable as soon as possible. This decision should be made with at least some input from incoming-president Proenza. Once that issue is resolved, the \$3.8 million set aside for the completion of the building can either be used to finalize the building once and for all, or be diverted toward finding adequate "new homes" for the current inhabitants of Polsky's who would be displaced.

At a minimum, this building houses most of the Community and Technical College, Speech-Language Pathology and Audiology, Archives and the Psychology Archives, Research Services and Sponsored Programs, Institutional Research, Social Work, Graduate School, International Programs, the Continuing Education Center and includes 35 general purpose classrooms. (This list does not include Public Administration and Urban Studies which will eventually move into Olin II nor any departmentally-designated classrooms or labs.) I strongly believe that the squeeze for campus space will become even more severe, perhaps unbearably so, should Sasaki decide that the Polsky Building does not fit their plan.

\* \* \*