

The University of Akron

IdeaExchange@UAkron

---

The University of Akron Faculty Senate Chronicle

---

9-3-1998

## Faculty Senate Chronicle September 3, 1998

Heather M. Loughney

Follow this and additional works at: <https://ideaexchange.uakron.edu/universityofakronfacultysenate>

Please take a moment to share how this work helps you [through this survey](#). Your feedback will be important as we plan further development of our repository.

---

This Article is brought to you for free and open access by IdeaExchange@UAkron, the institutional repository of The University of Akron in Akron, Ohio, USA. It has been accepted for inclusion in The University of Akron Faculty Senate Chronicle by an authorized administrator of IdeaExchange@UAkron. For more information, please contact [mjon@uakron.edu](mailto:mjon@uakron.edu), [uapress@uakron.edu](mailto:uapress@uakron.edu).



1998-99, No. 1

September 3, 1998

40 Pages

## **TABLE OF CONTENTS**

	<u>Page</u>
Faculty Senate Membership	1
Faculty Senate Executive Committee Members	2
Faculty Senate Committees	2
Senate Members of other University Committees	7
Minutes of Regular Faculty Senate Meeting of September 3, 1998	9
Appendices to Minutes of Faculty Senate Meeting of September 3, 1998	35
A. Rule 3359-9-02, General Academic and Administrative Personnel Matters	35
B. Report of <i>University Well-Being Committee</i> (Group Health Insurance info.)	38
C. Curriculum Proposals	39
D. Report of <i>Campus Facilities Planning Committee</i>	40

---

Any comments concerning the contents in The University of Akron Chronicle may be directed to the Secretary, Dr. Gary Oller (+1910).  
FacultySenate@UAkron.Edu

# FACULTY SENATE MEMBERSHIP

(Update: 9/23/98)

<b>College of Arts &amp; Sciences</b> (16)	<b>Community &amp; Technical College</b> (5)	<b>College of Education</b> (4)	
S. Baranowski, 00 James Buchanan, 99 Lindgren Chyi, 00 Elizabeth Erickson, 99 F. Griffin, 01 D. Malhotra, 01 J. Marquette, 99 TBA, 01	Chand Midha, 01 T. Norfolk, 00 Gary Oller, 00 W. Pelz, 99 Diana Reep, 99 S. Stevenson, 00 J. Stinner, 00 Mark Tausig, 99	Fred Baldwin, 01 John Edgerton, 01 Rebecca Gibson, 99 Lawrence Gilpatric, 01 Elizabeth Kennedy, 01	
Susan Clark, 99 Robert Dubick, 99 Timothy Lillie, 01 Lynn Smolen, 99			
<b>College of Engineering</b> (4)	<b>College of Fine and Applied Arts</b> (9)	<b>College of Business Administration</b> (4)	<b>University Libraries</b> (3)
Celal Batur, 99 Jack Braun, 01 Michael Cheung, 99 Dan Sheffer, 01	Laura Gelfand, 01 Virginia Gunn, 99 Barbara Heinzerling, 99 Robert Huff, 99 Scott Johnston, 99 James Lynn, 00 Marc Ozanich, 00 David Ritchey, 01 Ralph Turek, 00	Susan Hanlon, 01 Emeka Ofobike, 01 Jay Patankar, 99 David Redle, 99	Steve Aby, 99 Judith Fitzgerald, 99 Mary Konkell, 00
<b>College of Nursing</b> (4)	<b>Polymer Science/Engineering</b> (2)	<b>Wayne College</b> (2)	<b>Contract Professionals</b> (2)
Cheryl Buchanan, 99 Elaine Fisher, 01 Kris Gill, 99 Karen Reed, 99	Ali Dhinojwala, 01 A. Isayev, 99	Dan Deckler, 99 Forrest Smith, 99	Connie Murray, 99 Gregory Stewart, 00
<b>Part-Time Faculty</b> (2)	<b>Students</b> (3)	<b>School of Law</b> (2)	<b>SEAC</b> (2)
B. Filer-Tubaugh, 00 Peggy Richards, 01	Thomas Bird, 99 Brian Mormino, 99 Mary Wright, 99	William Rich, 00 <del>TBA, 99</del> Paul Richert	Kevin Butler, 00 Dolli Markovich, 00

Note: Term expires in year listed.

Members - 64



THE UNIVERSITY OF AKRON  
1998-99

**EXECUTIVE COMMITTEE MEMBERS**

Dr. Devinder Malhotra, Chair  
Dr. Barbara Heinzerling, Vice-Chair  
Dr. Gary Oller, Secretary  
Dr. Steve Aby  
Dr. Timothy Norfolk  
Mr. William Rich  
Mrs. Peggy Richards

**SENATE COMMITTEES**

\* designates Senator  
Boldface designates Chair  
Term expires in year listed.

**ACADEMIC POLICIES AND CALENDAR COMMITTEE**

C. Gigliotti, 99  
W. Kilgallin, 00  
E. Mancke, 00  
G. Oller, 00\*  
**S. Stevenson, 00\***  
G. Stewart, 00\*

N. Stokes, 00  
C. Midha, 01\*  
E. Ofobike, 01\*  
P. Richards, 01\*

*R. Tuck, \**



### CURRICULUM REVIEW COMMITTEE

D. Deckler, 99\*  
 D. Redle, 99\*  
 D. Reep, 99\*  
 S. Baranowski, 00\*  
 C. Clemons, 00  
 R. Clinefelter, 00

M. Jalbert, 00  
 S. Rasor-Greenhalgh, 00  
 J. Welch, 00  
 E. Fisher, 01\*  
 TBA, 01\*

Ex officio member, Dr. Jean Blosser,  
 Assoc. Provost

Ex officio non-voting member, Martha  
 Booth, University Registrar

### ATHLETICS COMMITTEE

T. Bird, 99\*  
 C. Buchanan, 99\*  
 J. Lynn, 99\*  
 J. Braun, 00\*  
 D. Brink, 00  
 D. Canary, 00  
 N. Clark, 00  
 R. Dubick, 00\*  
 B. Filer-Tubaugh, 00\*  
 J. Hebert, 00

T. Norfolk, 00\*  
 V. Rostedt, 00  
 L. Saliga, 00

*J. Zip, 01*

Ex officio members: Mr. David  
 Jamison, NCAA Faculty  
 Representative

Mr. Dennis Helsel, Athletic  
 Director, or designee

# UNIVERSITY LIBRARIES COMMITTEE

K. Gill, 99\*  
 B. Heinzerling, 99\*  
 J. Patankar, 99\*  
 L. Smolen, 99\*  
 K. Hinckley, 00  
 P. O'Connor, 00  
 M. Ozanich, 00\*  
 N. Ranson, 00  
 J. Edgerton, 01\*  
 M. Savage, 01

E. Sotnik, 01  
 TBA, 01\*

Ex officio members: Delmus  
 Williams, dean of University  
 Libraries, or designee  
 Mr. Paul Richert, Law Librarian

Ex officio, non-voting member,  
 Mrs. Debra Keller, Director,  
 Network Services

# REFERENCE COMMITTEE

J. Larose, 99  
 D. Chlebek, 00  
 J. Harris, 00  
 W. Pelz, 00\*  
 S. Hanlon, 01\*

W. Rich, 01\*  
 TBA, 01\*

Ex officio member, Dr. Gary  
 Oller, Secretary, Faculty Senate

Ex officio, non-voting member,  
 Mike Sermersheim, Deputy  
 General Counsel



### CAMPUS FACILITIES PLANNING COMMITTEE

V. Gunn, 99\*  
 A. Isayev, 99\*  
 C. Murray, 99\*  
 F. Smith, 99\*  
 D. Buchthal, 00  
 L. Chyi, 00\*  
 E. Erickson, 00\*  
~~R. Turek, 00\*~~  
 W. Yoder, 00  
 J. Drummond, 01

K. Dunning, 01  
 P. John, 01  
 J. Kline, 01  
 E. Laughner, 01  
 D. Markovich, 01\*  
 H. Sterns, 01

Ex officio member, Mr. Ramesh  
 Vakamudi, VP for Administrative Support  
 Services, or designee

### STUDENT AFFAIRS COMMITTEE

T. Alexander, 99  
 R. Gibson, 99\*  
 B. Mormino, 99\*  
 M. Wright, 99\*  
 J. Buchanan, 00\*  
 M. Konkel, 00\*  
 D. Laconi, 00  
 P. Linberger, 00

T. Connell, 01  
 T. Jolly, 01  
 G. Stewart, 01\*

Ex officio members: Dr. Thomas Vukovich,  
 Asst. VP Enrollment Serv., or designee,  
 Mr. Doug McNutt, Director Student  
 Financial Aid



### COMPUTING & COMMUNICATIONS TECHNOLOGIES COMMITTEE

F. Griffin, 99\*  
 F. Kinsinger, 99  
 K. Butler, 99\*  
 J. Marquette, 00\*  
 B. Vijayaraman, 00  
 R. Caplan, 01  
 M. Cheung, 01\*

*A. Dechambeau, 01*  
 A. Dhinojwala, 01\*  
 S. Johnston, 01\*  
 W. Rich, 01\*

Ex-officio member, Debra S. Keller,  
 Director, Network Services, or designee

### RESEARCH (FACULTY PROJECTS) COMMITTEE

S. Aby, 99\*  
 C. Batur, 99\*  
 J. Karns, 99  
 S. Clark, 99\*  
 J. Fitzgerald, 99\*  
 E. Klosterman, 99  
 K. Reed, 99\*  
 J. Stinner, 99\*  
 M. Tausig, 99\*  
 K. Endres, 00  
 J. Hawes, 00  
 P. Henriksen, 00

G. Jones, 00  
 D. Sheffer, 00  
 F. Baldwin, 01\*  
 K. Calvo, 01  
 M. Graham, 01

~~TBA, 01\*~~ *Elizabeth Kennedy*  
~~TBA, 01\*~~ *Laura Gelfand*  
*Phil Schmidt, 01*

Ex officio member, Dr. C.S. *Dr. G. Edwin Wilson*  
~~Chen, VP, Research & Assoc. Prov. for Research~~  
~~University Development, or~~  
 designee

SENATE MEMBERS OF OTHER COMMITTEES**FACULTY RIGHTS AND RESPONSIBILITIES COMMITTEE**

Tom Andes, 99  
 Susan Clark, 99\*  
 Michael Jalbert, 99\*  
~~Lucille Terry, 99~~ *Nikola Resanovic*  
 M.K. Alderman, 00  
 David Durst, 00  
 Wayne Mattice, 00  
 Victoria Schirm, 00

Lloyd Anderson, 01  
 Tim Norfolk, 01\*  
 T. Srivatsan, 01  
 Nancy Stokes, 01

**UNIVERSITY WELL-BEING COMMITTEE**

Jerry Obiekwe, 99  
 Paul Daum, 99  
 Jerry Drummond, 99  
 W.S. Jordan III, 99  
 Suzanne MacDonald, 99  
 Kevin Butler, 00\*

Laura Conley, 00  
 Marlene Huff, 00  
 Joseph Larose, 00  
 Alvin Lieberman, 00  
 Erol Sancaktar, 00  
 Elizabeth Erickson, 01\*



# **PLANNING AND BUDGETING COMMITTEE**

<b>Jesse Marquette *</b>	Arts & Sciences
<b>Elizabeth Kennedy *</b>	C & T
<b>Robert Dubick *</b>	Education
<b>Dan Sheffer *</b>	Engineering
<b>James Lynn *</b>	Fine & Applied Arts
<b>TBA *</b>	Business
<b>Judith Fitzgerald *</b>	Library
<b>Kris Gill *</b>	Nursing
<b>Ali Dhinojwala *</b>	Polymer Science/Engr.
<b>TBA *</b>	Wayne
<b>Gregory Stewart *</b>	Contract Professionals
<b>Bonnie Filer-Tubaugh *</b>	Part-time Faculty
<b>William Rich *</b>	Law
<b>Brian Mormino *</b>	Students
<b>Dolli Markovich *</b>	SEAC



**MINUTES OF THE REGULAR FACULTY SENATE MEETING  
OF SEPTEMBER 3, 1998**

The regular meeting of the Faculty Senate was called to order by Chairman Devinder Malhotra at 3:00 p.m. on Thursday, September 3, 1998, in Room 201 of the Buckingham Center for Continuing Education.

Forty-two of the sixty-four members of the Faculty Senate were in attendance. Senators Dhinojwala, Griffin, Ofobike, Ozanich, and Reep were absent with notice. Senators Batur, Braun, C. Buchanan, J. Buchanan, Deckler, Redle, Smith, Smolen, and Turek were absent without notice.

**SENATE ACTIONS**

- \* **APPROVED A SPACE RECOMMENDATION FROM THE CAMPUS FACILITIES PLANNING COMMITTEE REGARDING A HAZARDOUS WASTE DISPOSAL FACILITY**
- \* **APPROVED A MOTION THAT THE EXECUTIVE COMMITTEE INVESTIGATE WHY THE PART-TIME FACULTY SALARY POOL HAD BEEN CAPPED AT 3%**
- \* **APPROVED A RESOLUTION TO BE TRANSMITTED TO THE BOARD OF TRUSTEES REGARDING A RECENT CHANGE IN THE UNIVERSITY RULES REGARDING TENURE**

**I. APPROVAL OF THE AGENDA** - The Chairman wished to propose a change in the agenda. The Executive Committee had invited Mr. Ted Mallo, Secretary to the Board of Trustees, to give an update on the presidential search and also the rationale associated with changes in the University rules. Since Provost Leathers was not able to attend the meeting, the Chairman proposed that Mr. Mallo's presentation be inserted into the agenda after the President in place of the Provost's remarks. He asked for a motion to that effect which was made by Senator Chand Midha and seconded by Senator Steve Aby. The body then voted its approval of the amendment. Since there were no other proposed amendments, Senator Peggy Richards moved that the amended agenda be approved, and this was seconded by Senator Bonnie Filer-Tubaugh. The Senate then approved the agenda.

**II. CONSIDERATION OF MINUTES OF APRIL 23 AND MAY 7, 1998** - Secretary Gary Oller stated that he had two corrections to the May 7 minutes. The first was on page 29 in the first paragraph in the second to last sentence which at the moment read, "One thing which had become very clear in the meeting was that a specter of a failed residency would be as distasteful to the Board as it would be to us." If the body had been concerned about whether or not someone was going to be living on campus rather than being president, that would be correct. However, there should have been a "p" in front of the "r" and should be, a specter of a failed "presidency."



The other correction related to proposal PR-98-01 on page 38, the proposal which dealt with the creation of the B.A. in Interdisciplinary Studies. Dr. Robert Holland, Master of the University Honors Program, wanted the Faculty Senate to know that this proposal had not been generated by the Honors Program and that the Honors Program was not involved in the production of the copy circulated to the Senate and adopted by the body. If members looked and saw the typos and misspellings, etc., they would see why the Master of the Honors Program did not want anyone to think that it had come from them.

Since there were no further corrections, Senator Richards moved for adoption of the minutes, which was seconded by Senator Midha. The body then voted its approval of both sets of minutes.

**III. & IV. CHAIRMAN'S REMARKS AND SPECIAL ANNOUNCEMENTS** - The Chairman wanted to welcome everybody back for another academic year, especially new regular, visiting and part-time faculty, and also new students on campus. He also wanted to introduce some of the newly elected Senators. From the Community and Technical College there were three new Senators - Fred Baldwin, John Edgerton, and Elizabeth Kennedy. From the College of Engineering there was the veteran, Dan Sheffer. From the College of Business there were two - Susan Hanlon and Emeka Ofobike. From the College of Nursing, Elaine Fisher. From the College of Polymer Science/Engineering, Ali Dhinojwala. There were also two new student Senators - Brian Mormino, who was President of Associated Student Government, and Thomas Bird. He asked the Senate to join him in welcoming these new Senators who then received a round of applause.

The Chairman then noted that in recent days we had lost two colleagues - Marjorie Karlson, who had been a systems analyst and teacher in the Mathematical Sciences Department, and Alan Krivis, who had been a long-time member of the Chemistry Department. He asked the body to rise for a moment of silence in memory of the departed colleagues.

The Chairman next introduced the Parliamentarian, Professor Emeritus Don R. Gerlach, who kept him on the straight and narrow during the meetings.

Senator Susan Clark reminded the Chairman that he had neglected to acknowledge Senator Tim Lillie, newly elected from the College of Education, and he apologized for the oversight.

The Chairman then presented his formal remarks which were as follows:

"Before my remarks, at the outset I would like to seek the indulgence of the body because my remarks will be somewhat longer than usual. That's because I've gotten into a lot of trouble this summer and would seek your indulgence in providing the explanation of what happened. One of the things I did this summer was talk to Miss Diane Evans from the 'Beacon Journal.' Among other things, we talked about the presidential search. I regret to say that she quoted me out of context and thereby created an impression that the faculty was scared out of its wits and ready to roll over and play dead. Nothing could be farther from the truth.

I am referring to her quote which she ascribed to me, that faculty was in a cooperative mode. Let me provide you with the context in which I made that statement. We were talking about the presidential search, and I told her that it would be a disaster if the Board of Trustees hired a non-



academic as a president. I went on to say that not only is it important that we hire an individual with extensive academic administrative experience at highest levels of university functioning, but also an individual with excellent academic credentials. The incoming president has to be a consensus builder and an individual who, as an academic leader, can command the respect and trust of the faculty.

I went on to further state that faculty is concerned about its degree of involvement in the presidential search, and we have conveyed these concerns to the Board of Trustees. It was my sincere hope, I informed Ms. Evans, that the Board of Trustees will respond positively to our concerns and that faculty is in a cooperative mode and recognizes that the University's interests will be best served by hiring a quintessential academic and a leader as our next president. Ms. Evans, in her wisdom as an opinionated columnist, chose to ignore everything I said except the sentence that faculty was in a cooperative mode. I want to assure this body that my intent was to underscore that if we fail to hire an appropriate individual for the presidency of this University, it will not be due to lack of cooperation from the faculty in the search process.

While on the topic of the presidential search, I also want to inform the body that I requested President Ruebel and Mr. Mallo, Secretary to the Board of Trustees, to arrange a meeting with the officers of the Board of Trustees. The intent of the meeting was to convey personally to the office of the Board of Trustees our concerns with regard to the presidential search and convey the need for greater faculty involvement in the process. There was some urgency to undertake this course of action, because early in the fall semester the finalists will be on campus. I'm happy to report that Mr. Mallo was able to arrange such a meeting, and I met with Mr. Arshinkoff and Mr. Waddell, the Chair and Vice-Chair of the Board of the Trustees respectively on Friday, August 21. In my opinion, the meeting was productive and very useful. All the participants were candid in their views on the issues under consideration.

With regard to the presidential search, I underscored the need for more faculty involvement. They in turn informed me that the flow of information from the search committee was interrupted due to a change in the consulting firms. They also informed me that they were going to meet with the elected representatives of different constituent groups. My understanding is that they did so last week. Later our representatives will inform you about the meeting. They also said that they were going to send a letter to all members of the University community with regard to the status of the presidential search.

They further informed me that the candidates still under consideration after the initial screening were all academics. They also asked the Faculty Senate to host a reception for the finalists when they visit the campus. I informed them that we would be delighted to do that, and as part of our reception we'll organize an open forum between the candidates and the faculty, staff and students. Any members of the University community can then send their feedback and input on the various candidates to the Faculty Senate office. These would then be forwarded to the Board of Trustees through the elected representatives of the constituent groups for the Board's consideration before they make the final decision. They very graciously told me that they had no objection to the process.

Another issue which has come up in recent days is the passage of changes in the University rules by the Board of Trustees that if faculty are appointed to certain administrative ranks, they will be asked to give up their tenure while maintaining their professorial rank. Mr. Mallo, as Secretary of the



Board of Trustees, is going to address this issue a little bit later so I will not elaborate more and steal his thunder."

## V. REPORTS

REMARKS OF THE PRESIDENT OF THE UNIVERSITY - The Chairman then invited President Marion Ruebel to address the body. The President reminded the Chairman that when he talked to reporters, they always were the last ones to have the pencil. The Chairman replied that this was why he had given up pencils.

The President gave the following remarks:

"This summer the Board has spent a great deal of time revisiting the need of the campus plan, and there's no question about it that we have to get something started in this area to do some things with the facilities on campus that are in disrepair and also do some things on campus by building some new facilities.

We anticipate authorization very shortly to renew the Sasaki & Associates report so we can pick this up. It is my understanding that Sasaki was on our campus 5 or 6 years ago and started the report on a master plan for the overall campus that was dropped. The Board feels that it's time we pick up some kind of a master plan in the process, and Sasaki has been contacted to come back to our campus to carry on the discussion of the overall campus plan. We needed a committee from within the Board, and this Board committee had been dropped about 4 or 5 years ago. This has been reinstituted; the Oversight Committee for Facilities and Planning is chaired by Dr. John Fink, and needless to say, this committee will be very busy in the upcoming months and the next couple of years because it has a lot on its plate and a lot of things to do.

The first successful recommendation that we had from this committee that was accepted by the Board of Trustees at their last meeting was the preliminary concept for approval of Olin Hall 2, which will be just north of the Library. This to me was a victory because it was the first step we've taken showing that we're really going to do this now.

We have some other very important projects that are on the table that I would like to see started before I leave the campus, but the first are the street closings of Brown and Carroll Streets, and I think the city is very cooperative in this particular venture. As we stand right now, these two main thoroughfares divide our campus into four segments, and I think this is the first step we have to take to improve the campus.

Secondly, there are some special student facilities that have to be remodeled - the Student Center has to be remodeled or a new student center built. The idea of a student recreation center from private funding is still on the table, and we need something done in the area of student services - one-stop student services, where a person can be admitted to the University, register, have the academic advising, the financial aid, and everything in one particular place. I would venture that if we build a new student center this probably will take place in a revised student center where it stands right now, and this makes sense to me.



Along with this, in the 20 years I've been here I've only known of two facilities that we tore down - one was the old white house that was a sorority or fraternity house, and the other one was the small brick building across from Trecaso's. We tore that down late last spring, but there are other facilities that have to come down. Simmons Hall has to come down and as a matter of fact, I don't think we have to tear it down, I think we can push it down. North Hall should come down, and the location of Central Stores should be changed, because if we have the idea that we want our campus to be more green space, this is a natural place to start.

Now along with this, we propose that we're going to have our parking around the perimeter of the campus, and the master plan will be built around this. I have to say that the city has cooperated with our thoughts along this line. Now you might have to walk a little further to get to your classroom or your office, never popular I know, but at the campus we can't have all the parking in the middle. I was amazed that when we tore the two facilities down I talked about, it wasn't 23 hours and we had parking lots built there. So this is a mindset I think as an institution that we probably have to get away from.

I think you realistically can see about \$135-150 million in the next 5, 6, 7 years in capital projects on the campus, and if you look at other campuses across the state of Ohio, we have fallen behind in this area. The overall goal is to make the campus more attractive and more user friendly and more conducive to the students and the faculty.

We just announced the extension of our capital campaign to \$200 million. The reason for this was because the capital campaign that we announced two years went over that goal, so it was the feeling of the Board that we can get to \$200 million; we have \$160 million of that 200 right now, so I have no reservations in my mind that we can't get to that particular goal.

From this \$200 million we will benefit in the Scholarship for Excellence Program. If you remember, two years ago I talked about the 200 full rides that we wanted in academics. We have 124 of them after two years, so we're well on our way and will reach that goal probably next year, and I thought it would take us 10 years to get there. We want to recruit top faculty with some of this money; we want to see some of it go to research; we want to across the board improve academic programs, lab equipment, campus enhancements, and enhance the internet access with some of this money.

Yesterday we named a new Athletic Director who has an engineering degree from West Point, two masters degrees from Penn State, one in pure mathematics. He has 10 years experience in athletic administration at Syracuse University, and I welcome him to our campus and encourage you as faculty to welcome him, because I think he will be a good addition to our family. I'm very impressed with the things he brings to our campus.

I have good news and bad news as far as enrollment is concerned. The freshman enrollment is up 6.2%, the head count overall is down 3.6%, and overall credit production is down 3.2%.

We're turned the corner I think on successful recruitment, I honestly do. We will compare very favorably as far as other institutions are concerned in our freshman recruitment.



We have put forth a great deal of emphasis on retention, and I think faculty can help here so much by showing interest in the students and going that extra mile to see whether they need academic advisement or whatever they need. I think the institution changed somewhat when we had the direct admit program, because now students are admitted to colleges right away in many cases, and therefore faculty members become academic advisers right along with the assignments you have in the classrooms.

I have to tell you philosophically that some upper colleges have said that they need more money to hire academic advisers. This is against my philosophy in teaching because I feel that part of college teaching is to advise students. I think this is where you truly, not only in the classroom but also in advising these students, is where you truly get to know them. I will never forget the advisers I had as an undergraduate student, and I know I'm still afraid of the chairman of my Ph.D. program. But the idea is that I think we have to provide personal attention to the students, and this ultimately will help our retention.

The greatest thing that will help our retention is our scholarship program, because I know that all of the students with full rides are going to stay in school. The bottom line is, if we get better students, we're going to have better retention. That concludes my report, and I'll be glad to respond to any questions."

Senator Filer-Tubaugh reminded the President that in the budget proposals that came out of committee there had been an established merit based pool of 5% overall for continuing faculty, part-time faculty, contract professionals, and staff. The NCA last year had determined that part-time faculty taught 54% of the undergraduate class load, and they had even complimented us on our General Studies program. However, the part-time faculty budget had been reduced by a third this year, and even though freshman enrollment was up and classroom size expanded, the part-time faculty salaries had been capped at 3%, at least in Developmental and in Arts and Sciences. She knew that she should probably be asking Provost Leathers about this, but could the President explain this?

President Ruebel responded that he had more than a passing interest in the General Studies program, but he had to tell her straight up (and he appreciated what part-time faculty did for us), that he firmly believed with every fiber of his being that full-time faculty should teach General Studies. If he looked at the English schedule and saw 92 sections of Freshman Composition which were all taught by part-time faculty, he did not like it.

A discussion ensued about whether or not the salaries of part-time faculty had been capped at 3%. Associate Provost Jean Blosser asked to speak to this issue, and there were no objections from the body. She said that the colleges had received 77% of the amount expended on part-time faculty last year, so there had not been a 30% cut. The 3% raise was from a merit raise pool, so the raises were to be based on merit increases, and performance was to be discussed. She wanted to make these corrections in the figures that had been mentioned.

Senator Filer-Tubaugh replied that it was still a 3% cap. The Chairman suggested that perhaps the Executive Committee could take this up with the Provost.

Senator Wolfgang Pelz said that he had a four-part question motivated by a memo that members of the Mathematical Sciences Dept. had received late last week from Physical Facilities



informing them that Ayer Hall was to have its water shut off and restroom facilities shut down for the entire semester. The first part of the question was why this could not be delayed until some time between semesters, possibly even a summer session when there were fewer students and faculty in the building, where at least some mechanism involving partial closures could be implemented. Secondly, what should he inform his colleagues about asbestos possibly being around the service pipes or lines? Third, what should they tell the people who were going to be participating in a conference to be held in October that was sponsored by the Dept. of Mathematics and Computer Science in Ayer Hall? Fourth, they had been informed that Crouse Hall was sufficiently close to Ayer Hall to be utilized as a resource. What should they tell the students who were in the computer labs on the third floor on Saturdays and Sundays when the other halls were locked and Ayer Hall was open for their use?

President Ruebel responded that he had lost his plumbing license, and he was not trying to be facetious, but he thought that he would try to move the conference. He recommended talking to Dr. Richard Gigliotti, the Director of Administrative Services.

Dr. Gigliotti, having received the consent of the body to speak, wanted to reassure the President that he had not found his plumbing license, but he would try his best here. He had only become aware of this at the same time that Senator Pelz had - when the memo had come out. The reason that this could not be delayed was that this was a multi-month project that was actually linked to Crouse. The monies that had been received from the state were for Ayer/Crouse combined, and that was about 5 months worth of work. The idea was that the occupants of Ayer would go to Crouse and then vice-versa. It would be done sequentially. The sequencing of the work in one of the buildings would be over the break; unfortunately, the other one couldn't because of the academic calendar. If we delayed until the summer, it would have to be rebid. The figures were based on the bidding process that had occurred before. Unfortunately, it was his understanding that the bidding had gone out in January, so one could see how long a delay there had been. The system in Ayer and Crouse was apparently shot, completely bad, and there had been toilets in Ayer that had been shut down for long periods of time. The asbestos would be taken care of properly by our safety office. He assumed that they would seal off the toilet areas. Crouse would be open and available for the students who were in the labs, and as far as the October conference was concerned, he recommended that they make a good map.

Senator Tim Norfolk still thought that there was a problem. There were several hundred students using these buildings at any one time, and between the two buildings there were probably about 60 faculty. There were two small restrooms in Crouse Hall, and now they were going to lose 3/4 of the restroom usage. On top of this, faculty would have some difficulty getting rid of cups of coffee except for throwing them out the windows. So it was a bigger problem than just this. As to the state of the plumbing, last year he had written a note to Provost Leathers noting that there had been a toilet in Ayer that had been non-functioning since 1978. This definitely needed to be done, but could it not be done in stages - a floor at a time?

Dr. Gigliotti responded that it was his understanding that it could not be done in stages because the building was such that there were not individual shut-off valves. It was all one. He had been in conversation with Chair Von Meerwall in Physics and Chair Schmidt in



Mathematical Sciences and Dean Creel to try to work with the occupants of the building to provide whatever comforts possible. Water would be brought in.

President Ruebel said that if this became a health issue, classes would be moved to another location, and South Schrank could handle them.

The Chairman did not want to cut off this interesting debate, but he suggested that the body might let Dr. Gigliotti deal with the two chairs of the departments in the building and the Dean of Arts and Sciences along with Campus Facilities Planning Committee to come up with some acceptable solutions.

Senator Elizabeth Erickson was concerned about the coordination between the Senate's Campus Facilities Planning Committee and the Board's Committee on Long Term Planning and Facilities Planning. Also, as a member of the CFPC, this was the first that she was hearing about the problems in Ayer and Crouse Halls. This was not how the system was supposed to work as the members of the CFPC saw it.

The Chairman stated that after the President answered any other questions, he would let the body know about what was happening regarding coordination of the two committees which Senator Erickson had mentioned.

A Senator wondered whether the President had any information relating to the persistent rumors about the disposition of the Polsky Building. The President responded that he wanted to dispose of the Polsky Building, but that was not a rumor.

Since there were no other questions, the Chairman thanked the President and then informed the body that yesterday the President had asked the Executive Committee to give him a name of a faculty representative who would serve on the Board's Oversight Committee for Facilities and Planning and act as a liaison between that committee and the CFPC. At its meeting next Wednesday, the Executive Committee would discuss this and appoint an individual from the faculty to serve in that capacity.

Before he invited Mr. Mallo to address the body, the Chairman wanted to share some information with the Senate on the change of University rules. When he had met with the officers of the Board, even though it had not been on the agenda for that meeting, he had apprised them of the faculty concerns with regard to the changes in these University rules, and it had been the outcome of that discussion that later on the Executive Committee had asked Mr. Mallo to come before the Senate and help it on this issue of changing the University rules. He then presented Mr. Mallo.

REMARKS OF THE SECRETARY TO THE BOARD OF TRUSTEES - Mr. Mallo thanked the body for this opportunity and first began with a few comments about the status of the presidential search. There were a number of individuals in the Senate who had been at some



meetings last week with Vice-Chairperson Waddell where he had briefed the constituency groups on the status of the search. He wanted to briefly give the background of what had been happening this summer and what Mr. Waddell had done last week.

First, there had been a change in search firms to that of Schuyler, Baker & Parker, Inc. Jerry Baker was the lead person in our search, and he had done quite a few searches in Ohio and quite a few searches in higher education in general. One of the things that he thought it was important to mention was the way that this consultant had worked with our Board, and he believed that some members of the Senate might have been at some of those meetings held with the full Board. The consultant had taken great pains to go through the process with the Board trying to understand the criteria and process they outlined and even had talked about the issues that Chairman Malhotra had indicated concerning involvement of faculty, Faculty Senate and so forth.

As an example, he reminded the body that the first criteria that had been listed by the Board was someone who was a proven leader. The consultant had challenged the Board as to what they had meant by a proven leader. As each of the Board members spoke, the consultant had chimed in and by the time it was over the consultant had articulated to our Board a viewpoint that someone who had been a provost at an institution like The Ohio State University could perhaps be a more proven leader than someone who was a president of a more heavily endowed, smaller college. There had been quite a bit of dialogue with the consultant and the Board on those kinds of issues.

One of the things that had occurred this summer was a meeting where the Board, President Ruebel, and Provost Leathers had participated and met with two presidents of state universities in Ohio who had been invited to meet with our Board and talk about the presidency and about Board/President relationships as well as about presidential search-type issues. Dr. Michael Schwartz, former President of Kent State, met with them in the morning, and Joseph Steger, President of Cincinnati, visited with the Board for an entire afternoon.

Since the process had begun, the consultant had been providing our Board members with individuals who he thought met the criteria established by the Board, and Board members had been engaging many of those candidates in discussions. There had been meetings with candidates on neutral grounds, and the field was narrowing. Even this week, a distinguished faculty member at this University had inquired about putting another name in nomination. When he indicated that we were down to a workable number that the Board was looking at, he also wanted the body to know that the way the process was structured, it would remain open until it was closed. There was no closing date for nominations. But he was pleased to report that at this time all the candidates that the Board was seriously considering were candidates that were from very prestigious, quality institutions. They had distinguished academic records and strong administrative backgrounds, and all came from the academy. He thought that this was again in some part the influence of our consultant. He offered to take questions on this issue.



Since there were none, the Chairman said that the body could move on to the second issue. Mr. Mallo asked the Chairman what the terminology had been between him and Diane Evans about cooperative faculty. The Chairman replied that it had been a long time and he tended to forget the issues that he did not want to remember.

Mr. Mallo's remarks on Rule 3359-9-02 (**Appendix A**) were as follows:

"If you would bear with me, I'm going to refer to my notes on this issue because I do want the record to accurately reflect what I'm going to try to articulate.

First of all, at the last regular meeting of the Board there were actually two changes that the Board considered in its rules. The first change involved a change in its own bylaws concerning officers of the Board, and they put a 30-day notice required in the bylaws out that they propose to elect a University Treasurer. That rule will probably be considered at the next Board meeting.

Essentially, what our Board is looking at doing is restructuring its Board officers along the lines of what some other state universities in Ohio have done, such as The Ohio State University, with regard to having a Treasurer who is an officer of the Board and reports to the Board. The primary function of this Treasurer would be institutional investment responsibilities. I think that as the University and the foundation has grown over the years, the Board views this as a much more significant and important function that needs that level of attention.

The second rule change involved an amendment to Rule 3359-9-02, which is the rule entitled 'General Academic and Administrative Personnel Matters.' What this amendment provides essentially is that individuals who voluntarily seek and are appointed to certain contract professional-type administrative positions may not continue to maintain tenure while in those positions.

The University of Akron has had a long-standing policy, and I've been here about 30 years and it goes back as far as I can remember, that contract professionals are not eligible for tenure, and that only faculty employed in tenure-track positions may obtain the grant of tenure. On the other hand, contract professionals serve on a year-to-year basis, sometimes for shorter periods and that may be non-renewed upon proper notice. In some cases notice can be as short as two months.

Typical contract professional positions include officers of human resources, university relations and development, general counsel, business and finance officers such as the controller, treasurer, payroll officer, purchasing agent, food service manager, athletic director, coaches, architects, police, student affairs officers such as the registrar, admissions officer, financial aid officers and so forth.



What this rule does is address the situation where a member of the tenured faculty assumes a contract professional position such as those that have been mentioned, and is no longer functioning in a position which involves primarily teaching, scholarly research, or academic support functions.

This rule does not affect those members of the regular faculty with tenure who are engaged in teaching, scholarly research, hold positions as president, senior vice president and provost, deans, and other administrative positions recommended by the President and approved by the Board. The rule does not affect those members of the regular faculty whose primary responsibilities are associated with the library, academic centers and institutes, and such other areas as recommended by the President and approved by the Board.

This rule places the authority in the Senior Vice President and Provost to determine whether a position is affected by this rule. The rule itself provides two examples to illustrate implementation of the rule.

The first example is this one: a tenured, full professor in finance who is also Dean of the College of Business seeks and accepts an appointment as Vice President of Business and Finance. It is then the responsibility of the Provost to determine whether that position is a position that involves primarily non-teaching, non-scholarly research, or non-academic support functions. If that is determined by the Provost, then as a condition of appointment that individual will be permitted to retain the title of Professor of Finance but would relinquish indefinite tenure and for all employment purposes thereafter be considered a contract professional as Vice President for Business and Finance and not a member of the Dept. of Finance or a member of the regular faculty.

In the example I've given, the dean turned vice president must first be determined by the Provost to be engaged in primarily non-teaching, non-scholarly research in non-academic functions.

Second, as the condition of appointment, the dean turned vice president becomes a contract professional upon accepting the position and relinquishes tenure. The dean turned vice president no longer votes or participates as a member of the dept. of finance. The dean turned vice president may not choose one month or ten years after entry of the position to leave the position of vice president and return to the dept. of finance with tenure. However, should a position be available in the dept. of finance and the vice president applies for it and is accepted for the position, the issue of tenure is up to the then-current departmental guidelines and collegiate guidelines respecting reemployment and tenure for those individuals. In this context the individual colleges and departments would have to develop their own guidelines.

Should the dean turned vice president be fired by the President for cause, the rule would preclude the vice president from simply having the option or as it's been termed by



some of our Board members 'the golden parachute,' to return to the dept. of finance as a member of the tenured faculty of that department.

As you know, termination of a tenured faculty member for cause, except in the case of moral turpitude, involves a one-year terminal contract. This rule avoids the necessity of a one-year terminal contract in these situations where termination is for cause but without moral turpitude.

I believe it's fair to say that members of the Board believe this rule is consistent with the view that tenure helps safeguard academic freedom and insure economic security. By this rule the Board has expressed its strong belief that administrators who are not primarily involved in teaching, scholarly research, or academic support functions may not use tenure as a form of economic security. And with that, Mr. Chairman, I will attempt to answer any questions."

Senator Kris Gill noted that Mr. Mallo had made the point several times about seeks and then is appointed. That sounded to her like there would be a difference if the person had been appointed and had not sought but had been sought for some reason. Was that correct?

Mr. Mallo answered that the reason that he had used that phrase was that this rule did not apply to interim appointments. It was only intended to apply to regular full-time appointments and would affect someone either applying for them or having been selected for them.

Senator Norfolk was curious, and he was sure that some of his other colleagues were as well, as to whether this could constitute a beginning of an attack on the tenure system itself. Once you had a rule like this in place, it was much easier to amend gradually to modify the system as it was.

Mr. Mallo said that he would give his impression, and perhaps Chairman Malhotra could as well, that it had been expressed to him in very strong terms that the members of the Board believed very strongly, both individually and as a whole, in academic freedom and in tenure as one of those elements of safeguarding academic freedom. He believed that the context on which this rule had been articulated and the verbiage by the Board was to make clear that there was a risk associated with administrative positions that were clearly outside of any academic arena. He thought that part of the reason the Board had pursued this rule at this time was in view of a new president coming on campus. People like himself and Mr. LaGuardia and Mr. McFarland served at the pleasure of the Board and the President. Anyone who assumed positions such as they held served at the pleasure of the President and the Board, and tenure was not available as an economic security vehicle for those individuals. Quite frankly, he had had lengthy conversations with some of his colleagues in the Bar, including a former general counsel of AAUP, and interestingly enough, it was his understanding that many faculties had welcomed this kind of rule because faculties had



generally been disturbed when their departments got thrust upon them an administrator who had fallen from graces in the administration. This was especially true where departments had moved on to other focuses or interests and concentrations, and they were stuck with someone for perhaps ten or fifteen years.

Since Mr. Mallo had alluded to the conversation, the Chairman wanted to report to the body that when he had met with the officers of the Board and had raised this issue, the Chair of the Board had informed him that his personal view was that matters pertaining to tenure and curricular issues were the domain of the faculty, and he had said that he would personally take that message back to the Board and try to work out a public statement. Mr Mallo added that the Board viewed this change as an administrative issue, not a tenure faculty issue.

Senator Aby, following up on that last point, wanted to know how did the Board reconciled this policy with the long-standing AAUP guidelines that tenure only be rescinded or revoked for cause. It seemed that there was no cause here; it seemed there was a presumed lack of confidence. It was assumed that people who became administrators lost competence; therefore, up front we would take away their tenure.

Mr. Mallo replied that the reconciliation was that the Board was not doing it. The individual was doing it by accepting the position, even one who was currently in the position, and the Provost might determine a position that was affected by the rule. It was still the option of the person to maintain tenure or not.

Senator Aby still did not quite understand why the Board was doing this, because tenure resided with the faculty member. It was not located just within the department, and it seemed to him that administrators served at their sufferance, and if someone was not doing the job as an administrator, they could be let go as an administrator. But why should a person have to sacrifice tenure which had been earned and which was a right? They were separate functions.

Mr. Mallo reiterated that he did not think it was being viewed that way by the Board. If an individual accepted a job at another company, his tenure did not flow to the other company. The tenure according to AAUP guidelines had always been related to protecting one's academic freedom. Mr. McFarland did not require that level of protection in his job, nor did he. The Board was looking at positions as contract professional positions which did not have tenure associated with them. There had only been a few examples of these over the years, but in recent years for example there had been a department head who had worked in Buchtel Hall for a number of years in a very high-level administrative position. One could always conjure up a hypothetical, but someone who had been out of the department or academic arena for five or ten years could perhaps even commit an egregious act and be fired as an administrator, but because of tenure had the entitlement to go back to the department, whether or not the department wanted the individual back.



Senator Erickson stated that she did understand that the Board had the right to make its regulations as it wanted, but why had the Faculty Senate, its Executive Committee, or some representatives of the faculty, not been consulted in this? It was the process itself that she was concerned with here. This clearly did have academic ramifications. She stated that Mr. Mallo himself had talked about having gone back to departments that had wanted this kind of regulation. If in fact all departments now would have to deal with tenure, it seemed to her that it would have been very relevant to have talked to the faculty before this was done.

Mr. Mallo thought that Chairman Malhotra had expressed that view to the officers of the Board.

Senator Clark wanted a clarification regarding both examples (a) and (b) in section (6) of the bylaws. Was it only after the individual accepted this position that the Provost would make the determination that the position was non-academic, because that sentence came second after the tenured full professor accepted the appointment?

Mr. Mallo thought that when this had been discussed, the PAF that would come from Human Resources would actually come with the endorsement of the Provost with or without tenure depending upon that determination of the Provost. The intent here was that the Provost would have a determination. As an example, he suggested the former position of Vice President for University Relations and Research. The person who had held that position was a former member of the faculty in Chemical Engineering. That individual had held a position which involved faculty as well as non-academic kinds of support issues. The Provost would have to be the one to make the determination as to whether someone could sit in that position with tenure.

Senator Clark repeated her question as to whether the Provost's decision came before or after the individual had accepted the position, and Mr. Mallo answered that it would be concurrent. It would be part of the application/selection process for the position. Finally, Senator Clark wondered, if the Provost had the discretion to make a determination that in case a) the position was scholarly and academic and case b) that it was not, what protections were there for tenured faculty to be assured that the Provost would not abuse that discretion? Mr. Mallo responded that aside from the courts, there were internal grievance procedures - Faculty Rights and Responsibilities.

Senator William Rich understood the arguments on both sides of this issue, but there was one thing which puzzled him. Why would the person continue to be a professor while not having tenure? He saw the argument for saying that you were either faculty or not. If you wanted to be Vice President for Business and Finance, you could do that, but you could not retain your faculty position. There was a definite logic to that. He also saw the argument for allowing a person to continue to be a tenured faculty member, fireable as Vice President for Business and Finance but not as a faculty member - why this oddly mixed model?



Mr. Mallo said that he had to take the blame because it had been his advice. It really had been an unnecessary collateral issue. The titles of associate, assistant, or full represented promotions, and the idea was that this was a separate issue from tenure. The indefinite contract was a different issue. When Senator Rich stated that the person would remain professor in name only, Mr. Mallo agreed and added that part of this was the recognition that many people, even those who were contract professionals, taught from time to time or were invited to teach. That title should not be removed, since a vice president might teach a course once every two or three years.

Senator Richards had a three-part question. What actually evoked the change, who was responsible for even suggesting the idea, and why?

Mr. Mallo responded that it had been on the burner for quite some time. He had mentioned one situation where the vice president for development for university polymer research while holding that position also intended to vote on departmental matters. This had been of some concern to the Board. The issue had come up a number of times, and in recent years there had been several situations where individuals had left any faculty involvement and taken one of these contract professional positions, and the Board had always expressed some concern about the effect of this.

Senator Midha, repeating Senator Rich's question, thought that once one had the rank of assistant, associate, or full professor, that rank stayed with you as long as you were in the department. If we had enough service, we were given the choice to become emeritus professor. If he was not wrong, President Ruebel had been emeritus professor of education and now he was President of the University. Perhaps some changes might be made to this resolution so that if the person decided to give up tenure, he might also become emeritus faculty in that department and carry a new rank such as adjunct professor.

Senator Aby wanted to follow-up on something which Mr. Mallo had said earlier about the Board using the phrase "golden parachute." Did the Board see tenure as a golden parachute? Mr. Mallo replied that for someone who was in a business, professional, financial-type position not associated with academic support, scholarly research and teaching - the answer was, yes.

The Chairman commented that during his conversation with the officers of the Board, he had wanted to get across to them that as far as the faculty was concerned, tenure was not job security. Tenure was nothing but due process and indicated the circumstances under which faculty could be fired. That was just the faculty's view.

Senator Jesse Marquette thought one of things that had troubled a number of people was that they could not figure out why this was not being grandfathered at all. Whether or not one agreed with this, he could see the argument that you might want to say that this would be the case in future situations where faculty "seek and receive." The way the rule



was being interpreted now was that if you "sought and received," you now had sixty days to relinquish tenure. Some people were curious as to why, since in other situations rules have been changed and individuals given grandfather status, it was not done here.

Mr Mallo answered that the initial draft of this required the Provost to make his decision within thirty days. As it was currently drafted, there was no time limit for the Provost's decision. So he might have to look at many positions and make his determinations. There had been a sense on the Board that this decision had to be made by the Provost, and there was not any distinction - retroactive or grandfathered. Essentially, the decision was always up to the individual faculty member whether to seek or stay in a position to which tenure did not apply. Senator Marquette then repeated that the Provost had whatever length of time he chose to make determinations, and Mr. Mallo agreed that this was true until the Provost would be asked by the Board for his or her decisions.

Senator Lillie was curious as to the number of jobs or slots that might be covered by this.

Mr. Mallo doubted that there were more than a handful, if that many. He was only aware of a few that had occurred during his tenure.

Following up on Senator Marquette's point, Senator Gill said that it had occurred to her that perhaps some of her colleagues were concerned because they were now in a position such as this, and now the rule had been changed. They had not sought it with this knowledge. How was that to be handled? Mr. Mallo replied that it would be up to the Provost.

Senator Oller wanted Mr. Mallo to confirm that, although it was tenure that was being focussed on here, the faculty member was actually giving up his position. If you chose to go into one of these non-academic positions, once you made that choice you could not even go back to the department without tenure. You could not go back period, unless there was a line that happened to be open in the department. He was assuming that you would have to apply in a national job search under EEO regulations in order to possibly get that job back. Then after you achieved that, after six years you could once again apply for tenure. Mr. Mallo stated that this was absolutely right.

Senator Scott Johnston had to ask why somebody would consider this, if they were sane? Secondly, given that idea, they might lose some very talented people from departments because they would not do that.

Senator Oller wanted to follow up on what Senator Johnston had just said. What he had to say was not a question but a comment. One of things which he thought was important in a university was that the faculty took an important role in governing it, and we all felt that there was not anything in the institution that we could not do to serve it some way. Faculty



members go into department chairs, into decanal positions, and occasionally even make provost. But the idea was always there that after serving the institution, at some point in your career, you could go back into your department and continue to do what you had originally chosen to do, which was to teach. Now what this rule was saying was that there were certain jobs on this campus that faculty could not choose to serve in unless they were willing to give up their faculty status entirely, and he thought that was wrong.

Mr. Mallo said that Senator Oller was incorrect. The Dean of the Law School chose to be a general counsel, but there was no return to the law school. If a member of the tenured faculty chose to be the controller or payroll manager, there was no automatic return to the faculty. With regard to the first comment Senator Oller had made, all of those examples that he had given were not covered by the rule. Senator Oller replied that he realized that, but he did not want to get into an argument with Mr. Mallo over this.

Senator Richards guessed that the bottom line was whether the goal was to stop faculty from applying for these positions. Mr. Mallo said that the goal was that those faculty that applied for those positions would hold those positions without tenure.

Senator Marquette noted that one of the problems which he had with the rule as it stood was that there was this sort of facile distinction between academic support and non-academic. The rule as it stood had Information Services as non-academic and the Library as academic. Yet one of the major thrusts of what was going on in academia these days was the blending of both of those kinds of activities. Now how did we arbitrarily stick one in one place and one in another, and who would be responsible for making that decision? Could the Provost move information services out of the rule?

Mr. Mallo replied that the Provost could determine what an academic support function was. Senator Marquette then asked whether even though it was defined in the rule as non-academic, the Provost could move it. Mr. Mallo said that it depended on what duties were ascribed to it. He did not know what Information Services was. He knew part of what it did, but he was not sure exactly what Senator Marquette's point was on the scope of whether it was academic or non-academic. If it was in the rule as non-academic, then that was what it was.

Professor Richard Stratton asked for permission to pose a question to Mr. Mallo, and the body gave its approval. He wanted a clarification on the Provost's decision about whether or not a position was academic. Was it the position that was non-academic or was it a combination of the person and the position that was non-academic. If it was the position that was non-academic, that could be made prior to the appointment of the person rather than after, and ought to be so that it would be advertised as non-academic and falling under the rule.



Mr. Mallo thought that made absolute sense, and if it was not clear in the rule, then it needed to be clarified. In response to Senator Norfolk's reiteration of Professor Stratton's question regarding this determination, Mr. Mallo said the latter. If you knew that a position was clearly non-academic, it ought to be advertised as such up front. He thought that this had been the way it was discussed and was the intent, but perhaps it had not come through clearly.

Since there were no further questions for Mr. Mallo, the Chairman thanked him for coming to talk to the body, and Mr. Mallo thanked the body for the opportunity.

EXECUTIVE COMMITTEE - Secretary Oller reported that the committee had met on a number of occasions during the summer in order to make committee assignments, to approve election results, to set the agenda for today's Senate meeting, and to discuss a variety of matters. There were two items to report to the body for informational purposes. At the Senate's request, the Executive Committee examined the changes in the graduate student contracts and asked Chairman Malhotra and Secretary Oller to meet with Graduate Dean Charles Dye concerning policies and procedures for graduate assistants. That meeting took place on May 21 and was also attended by Associate Provost Kelly and Senator Dolli Markovich. The concerns raised by the Senate were discussed, and Dean Dye was very accommodating regarding them. He offered and had since sent a memo to the deans stating that he and his staff would be willing to meet with any group or department to explain, clarify and answer questions about the policies as well as try to deal with some of the problems that had been raised.

The Executive Committee also had approved the creation of a new University Bookstore Advisory Committee. This came from a request made by Patrick Duff, the new Bookstore Manager, to create a committee of faculty, staff and students which would meet occasionally to discuss the Bookstore and how it could better serve the University. The Executive Committee appointed four faculty members: Mike Jalbert, Phil Schmidt, David Witt, and Richard Elliott. The Committee's membership would also include Mr. Duff, Mr. Daniels, the Director of the Student Center, and students appointed by ASG President Brian Mormino.

Senators had also received today a handout containing pages from a "Chronicle" going back to November 2, 1995, dealing with a discussion which the Senate had at that time regarding the creation of a new mechanism for evaluating upper-level administrators. The Senate would be creating this for faculty and contract professionals to evaluate upper-level administrators as well as the Faculty Senate itself. At that point, the Senate approved the concept and the Executive Committee had then created a committee to start work on the details by which this would be implemented. If you looked at the date of November 2, 1995, and thought back to what happened a month later - the Senate had become involved in some very sticky, complicated issues that went on for about 4 months, and this somehow had gotten lost in the shuffle and nothing was ever really done with it. Therefore, what the Executive



Committee was asking Senators to do was to read this over and think about the issue a bit and at the next meeting in October it would be raised under new business. At that time, the body could talk about whether it wanted to reestablish the committee or whatever else it wanted to do with this issue.

Finally, Secretary Oller wanted to thank publicly Senator and Executive Committee member Peggy Richards for taking on the additional duties of Secretary while he had been enjoying himself on leave in London last spring. She had done an excellent job, and he was sure that everyone appreciated her efforts. The Senate then showed its agreement with a round of applause, and Chairman Malhotra stated that he personally wanted to echo the sentiments of Senator Oller.

UNIVERSITY WELL-BEING COMMITTEE - Professor Jerry Drummond, the Chair, reported that the Committee had spent several sessions this summer discussing the group health initiative meetings that had been held in the spring of this year. A draft report had been given to the Committee, and it had spent probably three meetings during the summer going over it. On the handout containing his formal report (**Appendix B**) there was a letter which was going to go to faculty and staff in general. He wanted to make sure that members realized and understood that no decision on health care had been made concerning any changes. The University was contracted through the end of next year for its present health plan, but we did have a need to address the health insurance issue, and the committee intended to meet this issue as described in the formal report by having two forums to be conducted during September and October of this fall. The first of these forums would be to inform the faculty and staff of the preliminary recommendations and what had happened in the consultant's report. The Committee would actually do some educating about what the types of plans available were, etc. The Committee would then convene again and get recommendations, and a second set of forums would be held to essentially present to faculty and staff what the Committee would be presenting to the Senate. This would enable the Committee to get a good feel of what the University community had to say about health care issues, and prior to going to any phase of going out for bids, when these sets of forums were finished and the Committee had deliberated, the proposal would be given to the Senate and it would be voted on here. The Committee intended to have its report available in November, and it should be subject to voting by December. He wanted to repeat that no decisions had yet been made. The Committee was getting in on the ground floor, but there was going to be much potential for feedback in the development of the plan. It would not be like the situation last year. Finally, he announced that the Committee had elected Alvin Lieberman to replace him as Chair for the coming academic year.

CURRICULUM REVIEW COMMITTEE - The Chairman introduced Associate Provost Jean Blosser, Chair of the Committee. Associate Provost Blosser reported that the Committee would be having its first meeting soon. She noted that Senators had received a handout containing proposals that had matured without objection and had been approved by the Provost (**Appendix C**).



The Chairman stated that unless there was an objection to them, no action of the body was needed.

Associate Provost Blosser added that the handout also contained a listing of proposals that were available for University-wide review. She wanted to make a correction to the first one, AS-98-70. All those departments were not being wiped out. If you deleted the words "no. 3000-3980" and had it read "courses deleted," that would tell you what happened with that one.

The Chairman reiterated that these proposals were available for University-wide review, and that this was a matter of information from the Committee.

**REPRESENTATIVE TO OHIO FACULTY COUNCIL** - Senator Shelley Baranowski reported that there had been several meetings over the summer - one in late May and another day-long retreat in the Hocking Hills in the middle of July. The retreat had involved about half of the OFC which numbered about 30. It had two representatives from each of the 4-year public institutions in the state, one being the Chair of the Faculty Senate and the other an elected representative. In her opinion, the retreat had been a very productive and exciting meeting. The Council contained a group of people who seemed to be extremely experienced in matters of higher education and learning at universities, and a very serious group about pursuing our number one agenda; namely, defending and promoting faculty interest at all levels from the university up to the state level. They also wanted to stake out positions on major issues affecting higher education generally. In other words, it was not going to be a listening body as FACCOBOR had been; it was going to take a much more proactive approach. The members had discussed a tentative agenda and would try to have a meeting on the 18th of September in Columbus. One thing that the Council was trying to set up in addition to firming up its mission statement was appointments with the two gubernatorial candidates so it could get in on the ground floor with them. The Council would cover its bases between the two candidates; it was on both sides of the aisle. The Council also hoped to take a fairly active position meeting with the new crop of legislators after the November election, so that it would be in effect serving as a lobby not only to defend our own interests but also the interests of higher education generally. This was because at many levels we had been shut out. She was very optimistic about the potential that this group had and would be reporting back to the Senate at its next meeting about the Sept. 18 meeting.

**CAMPUS FACILITIES PLANNING COMMITTEE** - Professor Drummond, the Chair, had a report (**Appendix D**) and a recommendation for the body. The Committee had met several times during the summer and had worked up the following recommendation: **The University of Akron presently lacks a permanent facility for the handling of chemicals and waste. Given the move to a Research II classification and the type of research done at the University, the committee feels that top priority must be given to the planning and building of a permanent facility on campus. In order to maintain compliance with EPA and OSHA requirements on a temporary basis, the committee recommends the**



following: 1) That rooms 68, 68A and 68C in Whitby Hall be used as a temporary facility for Environmental and Occupational Health and Safety (EOHS); the area will be used for sorting and storing aged chemicals prior to transferring to KNCL 113 (the Hazardous Waste Storage Site), recycling, or shipping to approved and regulated waste disposal sites off campus; 2) That the temporary facility in Whitby not be used for processing (sampling, pouring, or commingling) aged chemicals; 3) That EOHS will discuss and provide to the Department of Chemical Engineering the Standard Operational procedures to be used in that facility; 4) Since it is recognized that Chemical Engineering is a key part of the research base of the University and will therefore be vital in the move to a Research II classification, the use of the temporary facility must not be permitted to impede the renovation of Whitby Hall; 5) That the use of the space and the temporary status of the facility will be reviewed every six months by the CFPC; 6) That a certified chemical fume hood be installed in KNCL 113 to complement improved ventilation and upgraded waste storage containment capabilities; 7) That the pad behind the Computer Center be completed to allow storage of Emergency Response Equipment.

The Chairman stated that since this was a resolution which emanated from a committee, it did not need a second. The floor was now open for discussion on the resolution.

Senator Michael Cheung began by asking Professor Drummond not to take his comments personally. Whitby 68, 68A and 68C were not particularly well suited for this operation, although they appeared to be if you walked in. There was a lovely chemical morgue-type facility sitting there in the form of a pair of rooms which predated Chemical Engineering's occupancy of the building. In particular, he was concerned about two things. First, the space was directly below two classrooms. There was one HVAC system in the building, and if someone dropped a bottle, everyone got to breathe it. At present he did not believe that there was independent ventilation in that room. Plans had been well underway to acquire and install a "throw away facility" for this type of operation. He understood that those plans had fallen through either because of some misrepresentation of the vendor we had chosen or some code violation failure. He wanted to know why this had not been ascertained before we had gotten so far down the road that we had a crisis and could not look for a permanent alternative in a more timely fashion. If anyone at the meeting could enlighten him, he would appreciate it. He wanted to assure the body that the Department of Chemical Engineering were not chemophobes, but it did find this development considerably less than desirable. Given that the recommendation did not specify that a separate HVAC system be installed in the building, his professional opinion was that it was patently unsafe.

Professor Drummond responded that the HVAC system had been discussed; there was not a separate HVAC system for that room. He did not have his documentation with him, but he remembered that they were going to cut off the venting from that room so that nothing would get into the main system. He did not know how that was going to be done so the



question was well-phrased. Recommendation part 7 had been inserted to basically try to salvage part of the attempted building of the facility behind the Computer Center and at least use what was already constructed in some way. The plans had fallen through because of a misrepresentation, but the vendor had gone down the pike, and the City of Akron did not approve that facility. The Committee had gotten this late in the game. He felt that the recommendations were the best that the Committee could come up with right now. To some extent, he and the Dean of Chemical Engineering were not happy about this, but they were looking at which plank they would walk off of right now and were dealing with this the best they could. He did not know the exact answer about the HVAC problem, and that would have to be addressed.

In response to a question from Senator Norfolk backing up Senator Cheung's concern about the safety of the room without a separate HVAC system, Professor Drummond repeated that he did not know how the HVAC problem was going to be handled. One of the stipulations for using the room had been that there would be no processing of materials there. One of the reasons for 3) of the recommendation had been so the Chemical Engineering Department would have a comeback position should it feel there was something that was being done that was amiss. When this had come through a couple of years ago, it had been worded that Chemical Engineering wanted to know budget and it wanted to have approval of the plan. This time it had not been. Senator Cheung added that this had never happened then nor now.

The Chairman asked whether CFPC could give reasonable assurance that the classrooms and offices located around this site had adequate safety.

Professor Drummond answered that if nothing was done and we continued to do what we were presently doing, it was proceeding toward lack of safety. If this was done, it would be a temporary usage. The Committee had tried to put some things in so that Chemical Engineering had some outs, if they could assure that there was ventilation.

Senator Lindgren Chyi wanted to make a comment as a member of CFPC. First, he thought that using the rooms in Whitby was a major improvement over what we had now. Accidents could happen today or tomorrow. If that were to occur, research at this University would be shut down, and we would have no research II level or any research level whatever. The Committee had recognized that this was not the best arrangement, but there were no other facilities available. Item 5 in the recommendation at least gave the option of checking every six months to see how things were going and what we should be doing at that time.

Senator Rich asked whether Senator Cheung was speaking in opposition, and if so, what alternative did he wish the body to support instead.



Senator Cheung answered that he was speaking against the motion. He and his colleagues in Chemical Engineering did not feel that this was even a good temporary solution. First, he had been temporarily housed in Whitby in 1993 awaiting its renovation, if one followed his meaning. At the beginning of the Auburn renovation, Chemical Engineering had been moved there temporarily. The problem with the HVAC was a difficult one. The building was served by one ventilation system; an accident in that storage facility would have whatever had been spilled and vaporized distributed to all the offices, the student lounge, and the classrooms. It might or might not progress very quickly because the ventilation system was not particularly good - a mixed blessing he might add. For those curious as to how bad it was, there was an interesting olfactory experience to be had in the first floor bathrooms of that building.

Senator Cheung went on to say that as an alternative he thought we had been on the right path when we had begun to look for a temporary building that would not be a permanent University structure which would be located behind the Computer Center. It could be a glorified trailer where one could do this handling which had great appeal to him as a chemical engineer. If an accident occurred or the facility got so bad that it could no longer be utilized, it could be towed away and replaced by another one. If you contaminated the first floor of Whitby Hall, you had a very interesting and extraordinarily expensive problem on your hands compared to disposing of a portable building. This solution had struck him, his colleagues in Chemical Engineering and apparently some group of University representatives as the ideal way to go. He had not been privy to what had gone wrong. It sounded as though some persons involved in the procurement had - pardon the use of the colloquial - "screwed up" and we had agreed to purchase a unit that could not meet the requirements that we had and would not pass muster with the City of Akron. If this had been recognized early on, he suspected that there was more than one vendor for these sorts of things. So we had in effect either a manufactured crisis or a crisis due to incompetence at some level. Therefore, at this point, he did not have a good solution. If he had his way and could wave a magic wand and make it happen, we would find a suitable temporary-type building structure that was something like a trailer. This was what he believed had been contemplated and the trailer would come pre-approved and we would find out before we signed any papers and sat on our hands for months that it would pass muster with the City of Akron. It would get done that way, and we would have a permanent solution. He apologized if he seemed a little exercised over the issue. He would not do this, but would go and find a permanent solution post-haste since it seemed like we needed to do something quickly.

Senator Brian Mormino, being a new Senator, wanted clarification that what was being discussed was a resolution which the body would soon vote on. When the Chairman replied that this was the case, he said that he required some information. Did we presently store this material in KNCL 113, and if so, was the problem that this was not big enough to handle what we wanted to do now or in the future? Professor Drummond answered that KNCL 113 was presently used for storage, and it was not big enough for what we were doing now.



Senator Mormino asked whether this could be tabled until either a HVAC hood or something could be added to the Whitby Hall room, and the Chairman responded that he could always make that motion.

Senator Barbara Heinzerling said that a review every six months did not speak to her of a temporary status. Based on the seriousness of this issue and on the fact that this had been before the Senate before, did we have any idea what the planning process would involve for a permanent solution?

Professor Drummond did not have an answer and asked whether Professor Gigliotti would care to speak to the issue. The body gave its consent for Professor Gigliotti to speak.

Professor Gigliotti began by stating that the issue of stored chemicals that might eventually become or be defined as hazardous waste was a chronic one on campus. He did not want to diminish in any way what Senator Cheung had said, but we, the community, had a problem. The CFPC had faced it and examined every facet. Every question which had been raised here today had been examined by this committee. There had been site visits, multiple questions had been asked of our campus experts, and the Committee had come forth with this proposal. They were not happy with it, but at the present time there was no immediate alternative. The plan would allow the University to bring chemicals presently morgued in academic areas to this site. For example, the Chemistry Department had a separate morgue which when one visited it was very frightening. That material could be brought to this site and sorted. The material which was defined as needing immediate disposal would be sent to another site. There would be no processing on the site. The one important thing which existed at this facility was a fire suppression room. This was a major factor in the decision to go forward with this unpleasant decision since it was only one of two that existed on campus. We had to have a room to process our chemicals and then another one to store and eventually dispose of our chemical waste. He would be meeting tomorrow with the new University Architect to fill him on this and impress him with the urgency of coming up with a permanent solution, hopefully in that area where the science complex was because we could not cross public roads. We did not have a license to do that. Getting this done would work into the longer range plans for helping us move toward Research II status. He hoped that he had answered Senator Heinzerling's question.

Senator Virginia Gunn said that she was a historian, but she had served on the CFPC all summer, and it was her understanding that while this was not a good solution, what we had now was even worse. There could be chemical spills in dozens of rooms where things were stored. It was felt that it would be better to bring it to the best room available on campus and have it under the control of experts, because spills could occur anywhere on the campus. It really was a serious problem, and it did affect the research standing at the University. The Committee had looked at every alternative available because no one wanted this because it was not good, but it was better than what we had.



Senator Marquette called the question. The body first voted in favor of that and then its approval of the recommendation from CFPC.

**VI. ELECTIONS** - The Senate broke up into its different constituency groups in order to caucus and elect representatives to the Planning and Budgeting Committee. The results of those elections were as follows: Senator Dubick (Education), Senator Dhinojwala (Polymer Science), Senator Marquette (Arts and Science), Senator Markovich (Staff), Senator Fitzgerald (Library), Senator Stewart (Contract Professionals), Senator Filer-Tubaugh (Part-Time Faculty), Senator Mormino (Students), Senator Lynn (Fine and Applied Arts), Senator Sheffer (Engineering), Senator Gill (Nursing), Senator Kennedy (Community and Technical), Senator Rich (Law). As of the printing of the "Chronicle," representatives from Wayne and Business Colleges have not yet been chosen.

**VII. UNFINISHED BUSINESS** - There was none.

**VIII. NEW BUSINESS** - Senator Filer-Tubaugh moved the following motion: "That the Executive Committee investigate and explain to part-time faculty the reason for a 3% cap on the merit-based part-time faculty salary pool when the Planning & Budgeting Committee had proposed a merit-based 5% overall salary increase to the Board of Trustees. This was seconded by Senator Lynn.

Since there was no discussion, the body voted its approval.

**IX. GOOD OF THE ORDER** - Senator Richards had two items to raise. She had a request that the PBC look at the part-time faculty pay periods. The first set of complaints which she had heard when she returned to the University was that the December paycheck which we usually received in mid-December would not be paid until December 31. Was there anything that could be done to change that? The Chairman asked the new members of the PBC to take note of Senator Richard's first request.

For the good of the order, Senator Richards also hoped that PBC would follow through with what they had finally started in the spring, which was talking about establishing the subcommittee to look at salary equity and compression. The Chairman asked the members of PBC to take note of that as well.

Senator Oller wanted to know whether the members of the body wanted the Executive Committee to draft some kind of general statement or reaction of the Senate regarding the issue of the change in the tenure rule that had been discussed by Mr. Mallo.



The Chairman said that this should have come up under new business. If the Senate so desired, it could go back to new business to discuss this. There was a motion to return to new business which was seconded, and the body voted its approval.

Senator Mark Tausig presented the following motion: **"That the Senate communicate its displeasure to the Board of Trustees regarding the process whereby it passed the recent rule concerning faculty who assume administrative roles; specifically, its effects on the issue of faculty tenure. Moreover, we would ask that the Board of Trustees consult the Senate regarding potential modifications of the extant rule."** This was seconded by Senator Erickson.

Senator Mormino wondered whether Senator Tausig would accept as a friendly amendment changing "displeasure" to "concern." When Senator Tausig said that he would not, Senator Mormino formally moved that change, which was seconded by Senator Marquette.

Since there was no discussion, the body voted, but the Chairman was unable to determine the outcome by voice vote. Senator Cheung called for a division of the house, and that was seconded. The vote was taken and the amendment failed by a vote of 13 to 15.

Senator Aby asked Senator Tausig for a point of clarification. Was it just the process that he was taking issue with or also what he saw as the substantive consequence of it? Senator Tausig thought that those were separate issues. It was important for the Board of Trustees to recognize when they entered into matters regarding faculty issues, and we could ask them to consider modification.

Since there was no further discussion, the motion was approved by the body.

The Senate then returned to good of the order. Senator Gill asked the Chairman whether he was going to write a letter to the editor of the newspaper. She thought it might be a good idea. The Chairman said that he had thought about it, but he had decided that he did not want to dignify shoddy journalism by a response.

**X. ADJOURNMENT** - Senator Marquette moved to adjourn, and this was seconded by many. The Senate voted its approval, and the meeting ended at 5:07 p.m.



APPENDIX A

## 3359-9-02 GENERAL ACADEMIC AND ADMINISTRATIVE PERSONNEL MATTERS

- .....
- (K) MEMBERS OF THE REGULAR FACULTY, INCLUDING THOSE WHO HAVE BEEN AWARDED INDEFINITE TENURE, AND WHO ACCEPT FULL-TIME REGULAR ADMINISTRATIVE POSITIONS WITHIN THE UNIVERSITY OF AKRON WHICH INVOLVE PRIMARILY NON-TEACHING, NON-SCHOLARLY RESEARCH, OR NON-ACADEMIC SUPPORT FUNCTIONS, SHALL CONTINUE TO HOLD THEIR ACADEMIC TITLE AS ASSISTANT, ASSOCIATE, OR FULL PROFESSOR, BUT SHALL AS A CONDITION OF APPOINTMENT TO SUCH ADMINISTRATIVE POSITION, RELINQUISH INDEFINITE TENURE, AND FOR ALL EMPLOYMENT PURPOSES THEREAFTER, BE DEEMED CONTRACT PROFESSIONALS AND NOT MEMBERS OF THE REGULAR FACULTY.
- (1) INDIVIDUALS WHO ARE DETERMINED BY THE PROVOST AS CURRENTLY HOLDING POSITIONS AFFECTED BY THIS RULE OR INDIVIDUALS HEREAFTER DETERMINED BY THE PROVOST TO HOLD A POSITION AFFECTED BY THIS RULE SHALL BE NOTIFIED BY THE SENIOR VICE PRESIDENT AND PROVOST THAT SUCH INDIVIDUALS SHALL HAVE 60 DAYS FROM THE DATE OF NOTIFICATION FROM THE PROVOST TO RETURN TO THEIR ACADEMIC DEPARTMENT AS A MEMBER OF THE REGULAR FACULTY OR RELINQUISH INDEFINITE TENURE.
- (2) FOR PURPOSES OF THIS PROVISION, THOSE ACADEMIC SUPPORT PERSONNEL WHICH ARE NOT AFFECTED BY THIS RULE SHALL INCLUDE THOSE MEMBERS OF THE REGULAR FACULTY WITH ACADEMIC RANK, INCLUDING THOSE WHO HAVE BEEN AWARDED INDEFINITE TENURE, WHO SERVE AS PRESIDENT, SENIOR VICE PRESIDENT AND PROVOST, DEANS, RESEARCH OFFICERS, AND THOSE ASSOCIATES OR ASSISTANTS THERETO SERVING IN ACADEMIC ADMINISTRATIVE POSITIONS AS RECOMMENDED BY THE PRESIDENT AND APPROVED BY THE BOARD. ACADEMIC SUPPORT PERSONNEL NOT AFFECTED BY THIS RULE SHALL ALSO INCLUDE THOSE MEMBERS OF THE REGULAR FACULTY WHOSE PRIMARY RESPONSIBILITIES ARE ASSOCIATED WITH THE LIBRARY, ACADEMIC CENTERS AND



INSTITUTES, AND SUCH OTHERS AS RECOMMENDED BY THE PRESIDENT AND APPROVED BY THE BOARD OF TRUSTEES.

- (3) ACADEMIC SUPPORT PERSONNEL, FOR PURPOSES OF THIS RULE, SHALL NOT INCLUDE CONTRACT PROFESSIONALS, OFFICERS OF HUMAN RESOURCES, UNIVERSITY RELATIONS AND DEVELOPMENT, GENERAL COUNSEL, BUSINESS AND FINANCE, ATHLETICS, ARCHITECTURAL SERVICES AND CAPITAL PLANNING, UNIVERSITY ARCHITECT, PHYSICAL FACILITIES, POLICE AND SAFETY, INFORMATION SERVICES, STUDENT AFFAIRS, OR ANY OTHER PROFESSIONAL STAFF POSITION WHOSE RESPONSIBILITIES ARE PRIMARILY BUSINESS, PROFESSIONAL, OR ADMINISTRATIVE IN NATURE, AS OPPOSED TO PRIMARILY TEACHING, SCHOLARLY RESEARCH, OR ACADEMIC SUPPORT.
- (4) IN THOSE INSTANCES WHERE AN INDIVIDUAL HAS RELINQUISHED TENURE AND ASSUMED THE STATUS OF A CONTRACT PROFESSIONAL, THERE SHALL BE NO ENTITLEMENT OR EXPECTATION OF EMPLOYMENT OR REEMPLOYMENT OF THAT INDIVIDUAL AS A MEMBER OF THE REGULAR FACULTY. HOWEVER, IF SUCH INDIVIDUAL LEAVES EMPLOYMENT AS A CONTRACT PROFESSIONAL, AND THEREAFTER SEEKS AND IS OFFERED AND ACCEPTS APPOINTMENT AS A FULL-TIME MEMBER OF THE REGULAR FACULTY, THE INDIVIDUAL MAY APPLY FOR THE AWARD OF TENURE FOLLOWING THE APPOINTMENT TO A TENURE TRACK POSITION ON THE REGULAR FACULTY. SUCH APPLICATION SHALL BE SUBMITTED AND REVIEWED IN ACCORD WITH THEN CURRENT DEPARTMENTAL, COLLEGE, AND UNIVERSITY GUIDELINES APPLICABLE TO THE AWARD OF TENURE FOR SUCH INDIVIDUALS.
- (5) THIS POLICY SHALL BE LIBERALLY CONSTRUED IN FAVOR OF ADMINISTRATIVE POSITIONS WITHIN DEGREE GRANTING COLLEGES OR SCHOOLS, RESEARCH OFFICES, LIBRARIES, ACADEMIC CENTERS AND INSTITUTES AS CONSTITUTING PRIMARILY TEACHING, SCHOLARLY RESEARCH, OR ACADEMIC SUPPORT FUNCTIONS.

THIS POLICY SHALL NOT BE LIBERALLY CONSTRUED IN FAVOR OF ADMINISTRATIVE POSITIONS OUTSIDE DEGREE GRANTING COLLEGES OR SCHOOLS, RESEARCH OFFICES,



LIBRARIES, ACADEMIC CENTERS AND INSTITUTES AS CONSTITUTING PRIMARILY TEACHING, SCHOLARLY RESEARCH OR ACADEMIC SUPPORT FUNCTIONS.

EXCEPT AS EXPRESSLY PROVIDED OTHERWISE IN THIS RULE, TRADITIONAL "CENTRAL ADMINISTRATION" PERSONNEL SHALL GENERALLY NOT BE DEEMED ACADEMIC SUPPORT PERSONNEL.

- (6) THE FOLLOWING EXAMPLES ARE PROVIDED TO FACILITATE THE IMPLEMENTATION OF THIS RULE:
- (a) A TENURED FULL PROFESSOR OF FINANCE WHO IS ALSO DEAN OF THE COLLEGE OF BUSINESS ACCEPTS APPOINTMENT AS VICE PRESIDENT OF BUSINESS AND FINANCE. THE PROVOST DETERMINES THAT THE POSITION INVOLVES PRIMARILY NON-TEACHING, NON-SCHOLARLY RESEARCH, AND NON-ACADEMIC SUPPORT FUNCTIONS. AS A CONDITION OF APPOINTMENT, THE INDIVIDUAL RETAINS THE TITLE OF PROFESSOR OF FINANCE, BUT RELINQUISHES INDEFINITE TENURE, AND FOR ALL EMPLOYMENT PURPOSES THEREAFTER, SHALL BE CONSIDERED A CONTRACT PROFESSIONAL, AND NOT A MEMBER OF THE DEPARTMENT OF FINANCE OR A MEMBER OF THE REGULAR FACULTY.
  - (b) A TENURED FULL PROFESSOR OF LAW ACCEPTS APPOINTMENT AS GENERAL COUNSEL. THE PROVOST DETERMINES THAT THE POSITION INVOLVES PRIMARILY NON-TEACHING, NON-SCHOLARLY RESEARCH, AND NON-ACADEMIC SUPPORT FUNCTIONS. AS A CONDITION OF APPOINTMENT, THE INDIVIDUAL RETAINS THE TITLE OF PROFESSOR OF LAW, BUT RELINQUISHES INDEFINITE TENURE, AND FOR ALL EMPLOYMENT PURPOSES THEREAFTER SHALL BE CONSIDERED A CONTRACT PROFESSIONAL, AND NOT A MEMBER OF THE FACULTY OF THE SCHOOL OF LAW OR A MEMBER OF THE REGULAR FACULTY.



APPENDIX B

**Date:** September 4, 1998  
**To:** University Faculty and Staff  
**From:** University Well-Being Committee  
**Subject:** Planning for Future Health Insurance Needs

During the Spring semester of 1998, a consultant to the University, KPMG Peat Marwick, conducted a series of Group Health Initiative Meetings that were intended to assess the receptivity of faculty and staff to new possible health insurance options. The draft report of the consultant has been placed on the web at

**[www.uakron.edu/facultysenate/uwb](http://www.uakron.edu/facultysenate/uwb)**

We urge you to review the document here or review copies on reserve at the library or at the Faculty Senate offices (CH 326).

The University Well-Being Committee has been meeting over the Summer months to discuss the report of the outside consultant and to determine how to best incorporate University personnel into the decision-making process. **It must be emphasized that any preliminary recommendations made by the consultant have not been approved and that the UWBC will have the task of making recommendations to the Faculty Senate.**

In order to make our recommendations, the UWBC proposes to **conduct two sets of forums on the health care issue.** The first of these (during the week of 9/21/98) will provide information on the draft report and health insurance in general and enable faculty and staff to question and make comments. After we receive your feedback, the Committee will formulate our preliminary recommendations.

The second set of forums (during the week of 10/12/98) will serve to inform and seek comments from faculty and staff on the preliminary recommendations of the Committee. The recommendations will be adjusted and the resulting document forwarded to the Faculty Senate.

In the near future, you will receive a second letter that will note the specific times and locations of the forums. Each of the forums will consist of four sessions on the main campus and one on the Wayne campus.

We hope you will attend one of the sessions during each set of forums and make your voice heard. Our recommendations will be no better than our input and we are relying on you for that input.





## Office of the Senior Vice President and Provost

Akron, OH 44325-4703

(330) 972-7593 Office

(330) 972-8699 Fax

Date: September 3, 1998

To: Faculty Senate

From: Dr. Jean Blosser, Interim Associate Provost

Subject: Curriculum Proposals

The following proposals have matured without objection and have been approved by the Provost. Unless Faculty Senate acts otherwise at its meeting September 3, 1998 these proposals will be approved.

PROPOSAL NUMBER	PROPOSAL TYPE	PROPOSAL TITLE
ED-98-46	Program Change	Restructure due to Changes in Ohio Teacher Licensure Standards
BA-99-01 (Web Based)	Course Change	Financial Accounting
BA-99-02 (Web Based)	Course Change	Managerial Finance
BA-99-03 (Web Based)	Course Change	Management & Organizational Behavior
BA-99-04 (Web Based)	Course Change	Quantitative Decision Making
BA-99-05 (Web Based)	Course Change	Computer Techniques for Management
BA-99-06 (Web Based)	Course Change	Marketing Concepts

The following proposals have been approved for University-wide Review.

PROPOSAL NUMBER	PROPOSAL TYPE	PROPOSAL TITLE
AS-98-70	Course Changes	Course <del>has 3000 to 3980 Deleted</del>
CT-98-23	Course Change	Courses Deleted
PR-98-02	New Program	N.E. Ohio Universities Master of Public Health (MPH) Program



APPENDIX D**Campus Facilities Planning Committee  
Resolution Presented to the Faculty Senate**

The University of Akron presently lacks a permanent facility for the handling of chemicals and waste. Given the move to a Research II classification and the type of research done at the University, the Committee feels that top priority must be given to the planning and building of a permanent facility on campus. In order to maintain compliance with EPA and OSHA requirements on a temporary basis, the Committee recommends the following:

1. That rooms 68, 68A and 68C in Whitby Hall be used as a temporary facility for Environmental and Occupational Health and Safety (EOHS); the area will be used for sorting and storing aged chemicals prior to transferring to KNCL 113 (the Hazardous Waste Storage Site), recycling, or shipping to approved and regulated waste disposal sites off campus;
2. That the temporary facility in Whitby not be used for processing (sampling, pouring, or commingling) aged chemicals;
3. That EOHS will discuss and provide to the Department of Chemical Engineering the Standard Operational Procedures to be used in that facility;
4. Since it is recognized that Chemical Engineering is a key part of the research base of the University and will therefore be vital in the move to a Research II classification, the use of the temporary facility must not be permitted to impede the renovation of Whitby Hall;
5. That the use of the space and the temporary status of the facility will be reviewed every six months by the CFPC;
6. That a certified chemical fume hood be installed in KNCL 113 to complement improved ventilation and upgraded waste storage containment capabilities;
7. That the pad behind the Computer Center be completed to allow storage of Emergency Response Equipment.



**ATTENTION...ATTENTION...ATTENTION...ATTENTION...ATTENTION**

We are once again updating the Chronicle mailing list. Please indicate whether you want to receive a copy of this monthly publication, **if you are not already on the mailing list**, or whether you want your name dropped from the list. Also, indicate whether there is a change in your Zip +4 for our records.

**\*NOTE:** The Chronicle is always available on-line through the Faculty Senate Web page at:  
<http://www.uakron.edu/facultysenate>

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

Department/+4: \_\_\_\_\_

\_\_\_ I am currently **not** on your mailing list; please add my name.

\_\_\_ Please drop my name from your mailing list.

**Please return this form to Marilyn Quillin, CH 326 (+4910).**