

SEC/VPAA Joint Conference Minutes

November 16, 2010
2:30 to 4:30 p.m.

Senate Conference Room
140 McFall

Attendance:

Border; Borland; Brodke; Carothers; DeBard; Dinda, Edens; Folkins; Gremler; Herman; Leclair; Midden

Absence:

Blair

Guest:

VPAP Timothy Messer-Kruse

OLD BUSINESS

Faculty Misconduct Policy Updates – Bob DeBard

Carothers: Welcome. Our first item is an update on the Faculty Misconduct Policy. Bob has provided a couple of handouts. DeBard: What you have in the handout is a result of what the Faculty Welfare Committee (FWC), of which I'm a member, discussed about the Policy and made some suggestions. I agreed to go back and electronically change some things and distribute this back to the FWC. The addenda as I described it are something that I did today in preparation for this meeting. Obviously I feel obligated for us to consider the document that Neal distributed to you because that is what has been approved by the FWC. We should consider this and have an open discussion and questions. I have some further revisions I'd like to suggest. The purpose behind this in the spirit of shared governance is to address some of the concerns that Faculty Senate had last spring. What I've tried to do, and tried to lead the committee to do, was to align the language as much as possible with the Academic Charter and the closest we have to that is the grievance procedure and the appeal process of the grievance procedure. Their intentions are a bit different. Let's look at these documents. We'll focus on the last two pages – the sticking point is the appeal process. It's safe to say that the entire document turned on this appeal procedure. Brodke: I think the language that was bothersome was the language *factual conclusion*. DeBard: Line 234 – we deleted *factual conclusions* and inserted recommendations. The reason we did that was because that is the terminology used in the grievance procedure. Brodke: That's really what was intended. DeBard: They use the term *findings and recommendations* and perhaps we should use that too. The other area of concern was the terminology... *The Provost/VPAA may in his or her discretion sustain, modify or reverse the disciplinary decision of the Dean*. The same held true for the President's discretion. What I have determined the committee really meant was they were most provoked by the statement actually above that is still there... *The Provost/VPAA may in his or her discretion sustain, modify, or reverse the recommendations reached by the fact finding committee*. That is the line that should be modified. A disciplinary decision made by the Provost/VPAA following appeal from the decision made by the Dean shall be considered final. What I'm suggesting needs to

happen here is that the line that was deleted that should be put back in... *The Provost/VPAA may in his or her discretion sustain, modify, or reverse the disciplinary decision of the Dean.* The line we should include is... *The University President may in his or her discretion sustain, modify, or reverse the disciplinary decision of the Provost/VPAA.* The reason for that is – the sticking point of all of this – when a fact-finding committee comes in with a report you cannot dismiss their report. You don't have to agree with it but you can't dismiss it. You do not have the discretion to modify or sustain that report. What you do have the discretion to do is make a decision – either sustaining, modifying, or reversing the discipline. What we really don't want is for the fact-finding committees' work to in any way be dismissed. It's an important procedure in this whole Policy. We do recognize that the Dean has the right to make a decision. In regard to due process, it can be appealed. If the Provost/VPAA is not involved in this disagreement, then that person is the level of appeal. While the lawyers did feel the need to include the idea that the Provost/VPAA does have the right to send the findings back to the fact-finding committee. I've tried to keep with the language in the grievance policy; *The Provost/VPAA shall indicate whether he or she is in agreement or disagreement with the findings and recommendations.* Instead of any thought that they are sustaining, reversing, or otherwise modifying the language. They can return it to the fact-finding committee. That language is used both places in regard to the Provost/VPAA and the President. We'd like to see this presented to the Faculty Senate at the December meeting.

Carothers: For clarification, this last bit of your commentary represents recommended revisions that have not yet been reviewed by the FWC. DeBard: Yes, you're correct. I felt there was something wrong here and wanted to get input from this group. We'd like to get something in front of Faculty Senate in December. We also know the chances are very good that whatever happens at Faculty Senate the Policy may be held until negotiations take place. We pledged we were going to try to go ahead as constructively as possible as a Faculty Senate.

Carothers: In the spirit of the complaints and concerns with the first reading is that the Provost and President can't ignore facts but they can make decisions. DeBard: I believe the language... *at their discretion* is key – what decision could they make? They could sustain, modify, or reverse. I think that terminology is appropriate. The decision they make is final.

Carothers: You're recommending that they have the discretion to sustain, modify, or reverse the disciplinary decision but not the fact finding. DeBard: Exactly.

Brodke: You're keeping lines 238 and 239 – the real modification will be to lines 233 and 234. You are keeping two sentences that contain the language *sustain, modify or reverse*. DeBard: Yes. For both the Provost and the President. The only one that is being sustained is the disciplinary decision of the Dean and/or the disciplinary decision of the Provost/VPAA. The other one is being changed to *shall indicate whether he she is in agreement or disagreement with the findings and recommendations*. What I'm suggesting is a part of the addenda. I'm convinced the FWC will not be upset with that. They were upset with the treatment of the fact-finding committee.

Brodke: This is better in my opinion. Borland: I'm struggling to make sure I can define what is a *finding* and what is a *recommendation*. Did you say this came out of the grievance document? DeBard: Yes. Originally I used *recommendations* but because *findings* were used in conjunction with *recommendations* so I went with that.

Folkins: It can be a conclusion with very few facts to justify it. DeBard: Obviously one of the differences with the grievance procedure is the Provost/VPAA having to write a detailed

explanation within 5 days. This is more straightforward. Partly because I do think there is a difference between a grievance and a case of misconduct. Borland: I imagine this is very similar to what you do when you teach a student to put a dissertation together. This is what I found... I don't want there to be a semantic problem. That's what I'm wondering about. DeBard: That's why I took this language right from the grievance. It implies *findings* have to do with an analysis of what is presented to you. It's the step beyond data collection. Borland: It is the result of an analysis. DeBard: Yes. Borland: I think this cleans it up and it diffuses a lot of concern that the one phrase generated for people. DeBard: I was in favor of the original document. Language is important. It still gives all the power that a decision maker needs. It gives us something that I think is very important and that is we need a misconduct policy. The Trustees want us to have one and we should. Carothers: I didn't think this would be at a stage where we could vote on this – but does the group feel ready to act on this? DeBard: We still have a Senate Executive Committee (SEC) meeting prior to the December Faculty Senate meeting. I would like to voice a sense of agreement from the SEC to the FWC. I imagine this is what we'll bring back. If there are any modifications, please let me know. We'd like to bring this forward at the December Faculty Senate meeting. Carothers: Thank you.

CUE Follow Up

Carothers: The next item is the CUE follow up. I'd like to preface this with a couple of things, I'm very glad Vice President Messer-Kruse is in attendance. But I want to clarify that this is meant to be a follow-up, a what's next discussion. We did get quite a few comments from constituents during the last Senate meeting. We are receiving concerns from constituents about the CUE program and resource implications. It's not clear what constituents would like us to do at this point. I understand the Undergraduate Council will vote on this tomorrow. What should we be doing? One of the issues that concerns us is a definition of what CUE is? Is it a degree program? Messer-Kruse: Our clear view is CUE is a revision of the BGP Perspective curriculum. It is not a program; and it is certainly not a degree program and nor is it an academic policy. It is simply revising the existing requirements for our undergraduate general education curriculum. Most of the resource implications are moving pieces on the chessboard. It involves a reallocation of existing instructional resources not necessarily the addition of new ones. There are 128 sections of BGX and 22 sections of UNIV 1000; these resources will be reallocated. Those are just a few right off the top. That's the way I've referred to CUE all along. Carothers: It is true that there will be some central committee that will oversee the operations? Messer-Kruse: The BGX committee will continue to do that. There is a role for some coordination on that part. As for the inquiry and problem solving course that are the heart of the new curriculum – that will be scheduled and coordinated in the College and with the same type of oversight. But, not in any centralized way. Carothers: There will be a centralized committee that oversees curriculum but not scheduling. Messer-Kruse: Correct. Carothers: Comments about resource implications, while on the one hand we'll take an existing course and modify it to fit the needs of the CUE program there are some hidden costs, overhead in that. Someone will have to make the modifications and someone has to train the GAs to teach the course. So, there are some hidden costs in there that aren't readily apparent. There are costs we may not see. Messer-Kruse: Undoubtedly. Anytime we do have a major curriculum revision we should anticipate the need for

faculty development, etc. We have set aside \$100,000 for this year and we expect to do that again in the future. It's not a program cost but a transitional cost. We hope the Center for Teaching and Learning and other units such as this will pick up the need for ongoing faculty development. Carothers: To clarify, I don't know that we want some other group to come in and train our Teaching Assistants (TAs). We would want our faculty who are intimately familiar with the content area and course design to train them. That person has a serious dent made in their ability to do other things. That is a resource implication. That person is effectively offline. Borland: You always have to train Graduate Assistants (GAs) as to what you want them to do. That's a constant that's built in. It will take an endeavor to get ready for this. We do recognize that. That \$100,000 Tim mentioned isn't carved up in particular ways, it is a tool we can draw on. It's a resource to help. There are a number of ways we need to be thinking about Graduate Student Orientation as we move forward. What are we doing in the future to get graduate students ready to be involved in CUE? We have that weeklong period of time. How we use that period of time, there could be a connection. We'll discover many things as we go along. We can't sacrifice the very, very good to wait for the perfect. Later this week we'll be formalizing our efforts to capture conversations we've had with the Deans over the past weeks in regard to resourcing CUE. We'll call this, perhaps, the Deans Resource Toolbox for CUE. With a larger incoming class there will be an opportunity to use those tuition revenues to place faculty in the classroom to provide primarily general education classes for the incoming freshman class. Those revenues will be available to Deans to provide CUE instruction in order to meet those students' needs. There are no caps on these sections of courses. There is a great deal of flexibility. CUE is first and foremost on my mind to make sure we have funds to support this initiative as we move forward. This is a revision of the existing BGP, therefore that doesn't connect us quite the same way to the Charter language cited here. We are doing a fiscal analysis so we can put together the right kind of budget proposal. We're making a lot of headway on the resource issues. Midden: I think CUE is a wonderful endeavor to make substantive changes in what is a very important part of our educational program. I think it is well founded in principle and it can accomplish some worthwhile things. My sense of the concern is that the full financial analysis wasn't performed. There are some general education courses taught by permanent faculty. A modification of this magnitude could have lead to substantial changes in enrollment patterns. The temporary faculty provides some flexibility but if the changes go beyond that could we find ourselves with a department that had high enrollment and a large number of tenured faculty and now we don't need those tenured faculty. Will that generate unforeseen costs? I know it's hard to predict. Is it appropriate to prepare some type of contingency plan? Maybe it won't matter. My sense is that's the source of the concern that was raised about the lack of thorough financial analysis. Maybe it can't be predicted. What is the range of possibilities? Can we accommodate that range? If not should we modify our plan so we don't exceed the range we can accommodate? DeBard: If you currently have a tenured faculty member teaching a BGP course, that faculty's teaching assignment will need to change. I don't think tenured faculty are guaranteed curriculum ownership. I'd hope the tenured faculty would be enthusiastic. I'm hearing two things from Faculty Senate and around the water cooler, what happens to the iterative disciplinary progression that we're used to and what was formerly our introduction to the discipline at the College level? How does CUE fit into that? I'm very much in favor of

the CUE initiative. What I'm hearing, at least from Faculty Senate, is the process or procedural matters. Do you see procedurally, will you be able to adhere to the Academic Charter in this timeframe? How do you answer the question about a budding chemist from introduction to major area of concentration? Which CUE does not seem to address, nor should it? Do you think the calls and complaints about bypassing procedures from the Committee on Academic Affairs (CAA) and Faculty Senate Budget Committee (FSBC)? If anything goes wrong, some may point to the lack of following procedure. Messer-Kruse: We're following the procedural plan that was laid out by the original ad hoc CUE committee. The original plan was to present the final report to Senate which was done. Then it was to be taken up by Undergraduate Council so we're right on track with that. Tomorrow is the second reading for Undergraduate College Council. The BGP Committee has been intimately involved at every meeting throughout the process. I think we will have the necessary approval from the standing committees this term and that will leave time for CAA or SEC to review the process. By my reading of the Charter it is the standing committees that vet the actual curriculum. Being a good participant in faculty governance is a priority of our office and the whole CUE principle. The whole CUE idea of a learner-centered environment made this a ground up process. We are very concerned with the process. We don't want this to be a top down process but a grass roots effort.

DeBard: The follow up question, the real problem is so are we going to lose our franchise? Am I losing my introduction to lecture hall class? What about the introduction to curriculum that is absolutely necessary to develop competent majors? Messer-Kruse: That was one of the original concerns and compromises of the original CUE proposal. When the committee first began this process, all general education courses would be CUE, not owned by specific departments or programs but a coherent integrated learning environment. This is a valid concern for many programs. The purpose of general education is two-fold... First it is to develop skills of practices and a general liberal arts understanding that all of our students share when they leave Bowling Green and second, a sampling of the curriculum we offer. The inquiry courses and problem solving courses, the core of the curriculum, would be owned by the programs and would have discipline specific content included. We are well positioned to take advantage of that. Most disciplines have a two or three-tiered introduction structure. This is a wonderful model to make sure we have a level of instruction that supports this outcome.

Folkins: This came up in our faculty meeting yesterday. The course I teach Introductions to ... Right now that course has 10 – 15% majors. By the end of the course another 10 – 15% students decide to become majors. To develop the theme we have to take some disciplinary content out in favor of developing the theme. We want to have another course for our major students to take. It will add one more course to their general education. They are doing their introduction into the discipline and their social science with the same course. This will add another course for them. The bigger problem is people that take the course because it is a themed course and now they want to be a major. What do we do with those students? Messer-Kruse: Good question. I don't have an answer to that question.

Folkins: We have two courses where we used to have one. Messer-Kruse: My first response is would be to re-think the introduction course as a more accelerated course with higher-level content to separate it from the CUE course. As students move from the CUE course to the introduction course the pace would be workable.

Folkins: Right now we have a system that nicely intermeshes but it's messy with this change. DeBard: It's nicely

meshing for the majors, less so for the general education students. Folkins: For the majors it is good exposure. It allows those who don't know a lot about communication disorders to find out about it. It makes it more complicated. DeBard: It's a cost benefit analysis. It's tough but to appeal to the 90% of the students who take most general education or BGP classes as just a perspective that they need to fulfill compared to the 10% who might major in the area. Most of the emphasis is benefiting the 10% who may be majoring. We need to shift that. I think CUE can do that. Will it be messy? Sure. For those who will major, make them perform at a higher level. The CUE classes will work and they'll be good. If they are good, it would be an attraction to this University and something we'll need in the future. Folkins: I'm not speaking against CUE; I'm just saying these are the discussions going on at Faculty meetings. Messer-Kruse: No doubt. One of the things CUE was meant to address is that a great majority of our students upon graduation felt there was no coherence to their core educational experience. They didn't know why they took certain classes. We aren't approaching them as learners. This is what CUE was initially and perhaps most importantly meant to address. We don't want students to leave and say, "I have no idea why I took this course." Carothers: I want to follow up a little bit on the procedure questions. I understand that undergraduate council votes tomorrow, and you'll meet with CAA after that... Messer-Kruse: Yes, and we have been and will whenever invited. Carothers: Faculty Senate wants to be sure we're being proactive and doing whatever we should be doing. Would it be helpful if Kris or I meet with CAA to clarify their concerns? Messer-Kruse: I think that would be good. Borland: We attend those meetings. Carothers: I offer this as a matter of transparency so Kris can say we've met with CAA and here's what's happened. Messer-Kruse: Yes, we've been meeting with them. Borland: Yes, CAA has a role in monitoring these things. Border: Faculty Senate does have a representative on the CUE implementation committee too – Dr. Worley. You may want to reach out to her as well. And, not only contacting CAA but using other resources, as they are available to you. Carothers: Other questions, comments, or concerns? DeBard: Does CAA within its guidelines or jurisdiction does it feel it has either approval or endorsement rights where CUE is concerned? I heard some powerful concerns rose that CAA is trying to live within its governance mandate. Border: I'm not sure this is the time to discuss CAA's powers or responsibilities. But one of the acts we do is to review. By Charter interpretation of the Chair, we invite guests in and review the documents shared with us. We act as a committee not to stop any action but to formulate information to the Faculty Senate (FS) and SEC as to how we view that action. Often, informally, if we identify aspects that will strengthen a process we will ask the Chair of UC to take something back to UC... that is collegial. It's not in the Charter. In the Charter, we review. We inform FS and SEC. I've been informed CAA is in this awkward position because UC is viewed as a body of the Provost Office even though you have faculty representatives. The Provost or his designee chairs it. CAA touches UC and listens but doesn't have a formal relationship. We report back to SEC and FS. DeBard: Sounds to me like what Neal suggests should happen. UC will vote and you should see something fairly soon. Carothers: Does UC likewise see this as a revision to BGP? Messer-Kruse: We haven't been asked this. We approach it as modifications much as other modifications that we deal with. We haven't dealt with the Charter question. I have no problem with what Dave is proposing. Border: We do monitor the curriculum regardless of what UC does. Carothers: Other discussion? Leclair: There were concerns

raised about having recruitment impeded by the unknowns. When a student comes to campus we aren't able to tell them what their curriculum will be. What is the solution to that problem? Messer-Kruse: I do have an advisory committee composed of the A-Deans and people involved in student advising. The very first student orientation will be April 5th. We expect to be able to give students completed checklists. It won't appear to students as piecemeal or ad hoc. It will be presented as fully developed and ready to go. Folkins: Look how special this is to put a positive spin on it. Messer-Kruse: The feeling of the professionals in Admissions this will play very well with the students and especially their parents. This institution is about student-centered learning. Those who deal with admissions day to day were not concerned. We'll have all the courses ready to be scheduled in January. Registration and Records are already developing course shells. The April 5th date, we're ready to go with that. Carothers: Anything else? Thank you.

Graduate Stipends/Fee Waivers

Carothers: Just meant to be a follow-up that Kris had. It may have been addressed. The concern was over summer stipends. Students supported over the summer must be given 6 credit-hour fee waivers without flexibility and that may impact my funding later in the year. Can you address that? Borland: I have two documents that I want to be sure you have: one is dated September 30th and the other November 8th. Tim may want to refer to these so having them in front of you will be helpful. Messer-Kruse: Past practice has been to fund Summer as an additional benefit. Last year, the number of summer hours was capped at 6. We're still going forward with the new Stipend and Fee Waiver Policy that was approved by the University Graduate Council; there is no specific reference to a summer benefit in that Policy. Colleges can make that policy decision themselves as to whether they choose to designate a summer benefit or not. We've been asked to return nine million dollars over the next two years and summer will be a big part of that. Some programs have been built around summer instruction and some have not. It was clearly felt that giving Colleges primary authority over these policies we right-size summer offerings. There is no doubt that it will impact some on-going students. Those that require summer classes for degree completion will be able to continue to do so. We have to make these hard decisions. Are we going to take back from summer, or from academic programs? We're trying to put those decisions at the level where the programs are known best. Carothers: To follow up on the last discussion, there are implications for summer funding. The summer is when we train our GAs in Math who need to be ready to teach on the first day of the semester. That's one of the courses students were required to take in the summer along with English as a Second Language (ESL) classes. Messer-Kruse: It's important to make sure your Dean knows about these situations. DeBard: What are the implications of timing of this? This could well affect some of us. Let's assume that we are impacted adversely. I have five doctoral students who are waiting for the summer to do some activities that are absolutely necessary to make progress towards their degree process. I understand these are tough times. I want to tell these students as soon as I can to help the students to be prepared. Messer-Kruse: There is a third option, which is that some of our students will have to pay for their summer credits. Folkins: The way the Communication Disorders Masters Program is set up clinical hours are integrated into the summer. They have to take those hours in the summer. They have no choice. The Dean will come in and support part of that. The students will also need to take cognate courses.

They will not want to take those courses if they have to pay out of their own pockets. Those are going to wash up. The University is going to save money but when will we offer these topic courses that are required by our accreditation. We'll need more resources to teach those courses during the year. It's a mess. Messer-Kruse: It is a mess. I hope that some of this will be mitigated by the fact that the new Scholarship and Fee Waiver Policy allows partial scholarships to be offered. Maybe in the situation you are talking about they will get a scholarship for a portion of the funding. Folkins: We are competing with Ohio University and Kent State. Messer-Kruse: They are all doing the same things. Everyone is in the same boat. DeBard: Yes, I'm doing a study on this and it is true that they are making changes too. If we expect doctoral students to continue to move along in the Summer, with faculty who may not be under contract. We try to do something for the faculty. We can't expect faculty to work in the summer if they are not on contract. They expect me to teach Masters level students and come through for those doctoral students for which I get nothing nor will I. It's OK for me, I'm retiring. I suspect there will be some push back on that too. Something we need to think about... Borland: The point I don't want anyone to miss is that each College will essentially get the same number of dollars they have in the past. They must manage it as they see fit as opposed to that being dictated by the Graduate College. That is pretty good news. Campaigns will begin to inform the Chairs, the School Directors, the A-Deans of Colleges, as to what makes the best sense within the confines of their graduate programs. They can use those dollars very creatively. You can't craft policy that takes into account every eventuality. Is there room for some appeal? Yes, I think so. Some programs really are 12-month programs. Carothers: Any analysis or thoughts on the impact for International students and International recruiting? Messer-Kruse: I don't think the Summer decisions will impact the International students. We're going to make a big effort to do a better job of communicating ESL information. I don't have a lot of concern for that group in particular for summer. Other pieces of the policy will have to be policed carefully to make sure we don't have adverse happenings. Carothers: If they have to pay for their ESL classes, that could have an impact. Messer-Kruse: Yes, that is already happening and we're providing them supplemental payment. And, as long as we make it clear that they may have to pay for some ESL classes. We don't want to switch on them mid-stream. Borland: At the same time we have to look at what's happening with ESL. We need a contemporary set of options for students. Once you've been in Northwest Ohio for a year or two you may be able to test out or up to save dollars and time. That's not necessarily what's happening here now. Carothers: In the past they were extremely diligent about constantly re-testing to assure students were in the right level. Borland: Out of state students are also individuals we are concerned about. We need to find a way to campaign for students to establish residency in Ohio and the Registrar's Office is very willing to work with us on this. That's an important part of this relationship. We don't want to discourage anyone from becoming a long-term resident and financially it allows us to take the University's dollars for scholarships a lot further. Carothers: That could be a good addition to Graduate Orientation. Dinda: One concern, with the lack of summer support, how can I complete the degree in 4 years? We really do depend on summer to take topics courses and other courses. If more than 2 years is sunk in courses and then we have to complete comprehensive exams and dissertation work. I don't see how it is feasible to complete a dissertation in a year and a half. Messer-Kruse: That's why we aren't zeroing out the

summer budget. Some programs don't use summer in that way. I'm hoping that we can discern which programs are truly degree completion and which are less critical. Borland: One of the ideas that I heard in conversations was that it is possible for the Dean and the Chair and the Graduate Coordinator when contracting with graduate students to say, your program requires x number of credits. You'll get a waiver for x number of credits. Distribute them across time as opportunity and necessity dictate. How many credits have been contracted to you? It limits the number of credits but it gives a student a full ride through a full degree program. When we talk about summer we need to talk about it in the context of what would be contracted with the student when we bring them in. DeBard: The elimination of the 12-credit hour requirement for assistantships will help tremendously. That will make a difference. Carothers: Other discussion? Midden: I heard yesterday that there is a University wide policy that prohibits paying student parking fees out of grants. Is that so? Messer-Kruse: If Dr. Ogawa says it is so, it's so. I have not heard that policy particularly. Midden: It's actually a University wide policy that you aren't allowed to pay student parking fees out of department budgets or any other funding. It was announced at a Grants Accounting meeting. Sounded like contrary to the flexibility we're creating. I didn't understand it. Borland: One more thing I'd like to add, both of these documents have been routed to Dean's council several times and Graduate Students have had it just as long. Our visit with you today is important and with CAA tomorrow. The document dated November 8th is open for feedback. Not everything you see in print is carved in stone. We're soliciting feedback. We're looking for additional ideas beyond these. Not all of our conversations have been formal. Some will be formal. Border: We'll need the analysis by FSBC at some point. It will need to be voted on by the Faculty Senate. If this is considered a major policy change. Folkins: Senate doesn't usually vote on financial matters of this sort. Border: If it's considered minor... Folkins: This is not a policy; it is a funding model. Border: I find that confusing because here it says policy. Carothers: I'm sure we can work that out. Other discussion?

NEW BUSINESS

Charter Status

Carothers: I have this under new business and it has to be addressed eventually. What is the status of the Academic Charter at this point? Who can tell us and how can we find out? We need to know how to do our work. I open this for discussion or comment. Folkins: I would suggest we don't give up anything in terms of the Charter. We continue business as usual. Carothers: That was our feeling as well. The Charter is in place and we continue to use it. Folkins: And we don't have the authority not to use it. Carothers: That's right. Part of my question is that John's view is that there is no need for any discussion until some collision occurs. Folkins: The definitive answer is the Charter is well and healthy, not that we don't have any ambiguity. We have a Charter. Carothers: Thoughts? DeBard and Midden: I concur. Carothers: I think that captures Kris's view. Borland: I think I've said in several venues myself that we will continue to work in good faith from the Charter until we have other information or we're told otherwise. SERB has its certification later this week. Nothing official between now and that vote. Midden: What else do we have to guide our governance in the absence of the Charter? It makes sense to me that we use the Charter as our guide until we have a new negotiated contract. Folkins: And we don't qualify. The Charter is in full force. Leclair: I wasn't sure what

President Cartwright meant when she said we should continue work as usual and then something along the lines of advising Deans and Chairs of changes. Did anyone understand that? Carothers: No. We asked this question as well. At this point she will check and get back to us. LeClair: Does that cause any problems? Carothers: I agree with John, I intend to use the Charter until there is a replacement. DeBard: For instance, the Flexible Tenure Policy will not be forwarded to the Board of Trustees. The same will likely happen with the Misconduct Policy. It might be used in negotiations. We have to respect the fact that the President sets the agenda for the Board of Trustees. They won't do anything the President doesn't want done. Border: There is an issue of semantics. The Charter views the President and the Board of Trustees as two entities and the President must forward these policies on. Folkins: You're technically right. The President must forward it but she can advise the Board not to act. Border: Following procedure is a good exercise. I think a President should uphold the Charter. Folkins: The Charter doesn't say she needs to write a report. DeBard: Part of this is that the Charter in many ways is an act of good faith, based on shared governance. That's the question we're all asking. What is the future of good faith and shared governance? I agree with David we have to try to continue on as Faculty Senate has by passing policies and forward them on. I would think the Board of Trustees would want this Misconduct Policy to come forward as they initiated the process. Carothers: Other discussion?

ISSUES AND CONCERNS

Carothers: Any issues or concerns? Leclair: I've never heard the word *resource* used as a verb. What does that mean? Messer-Kruse: Staffing, and similar resources.

ADJOURNMENT

4:18 p.m.