

Senate On Call Committee Meeting Minutes

February 15, 2011
2:30 – 4:30 pm

Senate Conference
140 McFall Center

Attendance: Basch; Blair; Border; Carothers; DeBard; Dinda; Folkins; Herman

Blair: Provided an overview on a recent meeting of several Senate Executive members with the BGSU-FA and the Faculty Association (FA) lawyer to discuss the interaction between the groups and how that might influence our work in Senate. They are aware of some of the items we will continue working on and they encourage that work. Pat Shaw, FA lawyer, shared some language put together from contracts around the state. Some of that language comes from Kent State, some Cincinnati.

DeBard: Kent State has had a union for 35 years. Kent State leaves nothing to chance.

Folkins: That's why I think BGSU has been so unusual given our binding Charter. If you don't have that you find your strength in collective bargaining. There is a real strategic issue here. If we go this route, what Faculty Senate (FS) has done becomes subservient to the way the contract is bargained out. Is this what we want? Are there ways we can get some assurance that we feel is binding without giving up our responsibility for it?

DeBard: If the scenario plays out that Senate Bill 5 passes, we certainly will not have wanted to have aligned ourselves with the FA in thinking that somehow a collective bargaining agreement will accommodate Senate's role.

Blair: I think there are ways we can do this that might assist the FA but still maintain our own mission and our own focus. What is the format for this? Do we present a proposal from the SEC to the President and Provost that outlines our areas of concerns and call for a specific remedy. For example, we are concerned about the budget. The remedy may be to have a budget committee in some fashion.

Folkins: Kent State has never had the type of Charter that we've had. If during negotiations, the team decided they couldn't give up on salary issues but they can give up the compensation consideration for Faculty Senate officers; we've given up our autonomy. It's not just the Faculty Senate officers but also curriculum issues. The FA has already gotten into some of this work.

Blair: The FA has asked us to think about individuals from FS that would want to serve on their committee.

DeBard: The dilemma that I see is that if in fact the motivation behind the alteration of the Academic Charter is based upon a point of negotiation, then the expectation of the administration is that we go in the direction of the Cincinnati document and build in and bargain these points as outlined by Kent State. I'm against that. I don't see where the FA really does have the pre-eminence of academic governance at this University. That doesn't involve salaries, fringes, or working conditions. So much of this has to do with the everyday

governance of what professors do in relating to students, curriculum, evaluating the administration of faculty from the College on down. I don't see this as the prevue of a negotiating body. It's entirely possible this time next year, we may have an FA but we may not.

DeBard: I'd like to uphold and invigorate the Academic Charter. Kent State has a franchise.

Blair: There is a distinction between the mandatory topics of negotiation and permissive topics of negotiation. What do we want to achieve, prioritize in the next two months that we can get on the table in written form to the President and Provost? Budget and reconfiguration are main issues.

Dinda: I agree. The FA is doing what they do and the Senate needs to continue on with their work.

DeBard: The definition of governance in the revised Academic Charter seems limiting. For instance, the whole area of programs in which faculty are advisers and sponsors, the honors program for instance, Living Learning Centers. Shared governance does not just mean academic programs. It means University life. If not us, who? It's only administrative management so it doesn't need to be in the Charter. Are there any changes that I don't view as limiting? The changes have resulted in a severe limiting of shared governance.

Blair: Maybe we could position our work around the concept of strategic planning. Strategy number 5 of the Strategic Plan states: Realign individual and institutional incentives and resources to support institutional priorities. The changes to the Charter represent a shift away from the academic focus; this is the concern. What's the remedy?

DeBard: I'd like to see them revert to the previous language.

Folkins: We are not going to get changes back from the Charter. How close can we get to what we want in the area of permissives and fit what was previously in the Charter? It won't have the force of the Charter but we might be able to get agreements that are closer to the spirit of what we want. That approach would be appreciated and embraced by the administration. It keeps it more likely that we don't end up with Kent State or Cincinnati language.

Blair: The Faculty Personnel and Conciliation Committee (FPCC) exists but that language will not go back in the Charter.

Folkins: If there were to be a lawsuit, the University is in a much stronger position if they have policies and procedures so they want that one.

Blair: Other major issues? Budgeting – and the type of participation we want to see; the reinstatement of some budget participation in committee form?

DeBard: What about the whole issue of evaluation of Chairs and Deans – and the Provost?

Blair: It's still being done.

Border: I had not heard anything about the Provost evaluation.

Blair: Neither have I.

Folkins: There are two types of evaluation for the Provost, a yearly with the Senate Executive Committee (SEC) and a five-year process.

DeBard: Historically, when I was on the Dean's faculty advisory committee, we conducted a yearly evaluation at the request of the Provost. It was encouraged for input.

Folkins: If it's in the Charter you have to do it.

Blair: I know the Provost has indicated that we will go forward with the Deans' evaluations. I can't speak to the evaluation of the Provost.

DeBard: What I hear you saying is that this has been addressed and we don't have to pursue it further. It feels like we govern at the pleasure of the administration.

Folkins: If we were able to come up with a whole series of agreements we want and take this to President Cartwright by the end of this year, she will likely say that this would be more appropriate for the new President to negotiate.

DeBard: I would like something to be articulated. We need to forge some agreements.

Blair: We should develop a document that addresses the issue, the concern, and remedy, issue by issue. Starting as early as today, and continuing on with SEC next week. What are the issues?

DeBard: We don't have an agreement and we need one. It's important.

Folkins: When there are grievances, they look for written policies and procedures. They aren't looking for a Charter. We could maintain this through these remedies.

Carothers: Provost Borland said he could envision a review board or panel instead of the Faculty Senate Budget Committee (FSBC) who would attend budget meetings and have input but that would be strictly advisory.

Folkins: For each of the removed committees we should put something back in.

Dinda: We talked about having new committees and President Cartwright said no; no new committees. She values everyone's time and more committees create work that is unnecessary.

DeBard: A new President may feel differently. It's also focusing on my original concern. If Senate Bill 5 goes through, we will be better prepared. We are doing this for the right reason. We are speaking on behalf of this University. These contentious relationships have a deleterious effect on learning.

Issue 1: Budget Planning (including Financial Exigency)

Concern: Current changes to the Academic charter eliminate the ability of faculty, students, and staff to participate in university budget conversations about academic and other strategic priorities not related to collective bargaining.

Proposed Remedy: Proposed committee or panel in place that ensures student and staff participation on such topics as the projections of the costs of academic reconfiguration or implementation of new programs.

Issue 2: Academic Reconfiguration

Concern:

Proposed Remedy:

Issue 3: Role of Undergraduate/Graduate Council & CAA

Concern:

Proposed Remedy: Written agreement for the review graduate and undergraduate programs to retain faculty authority over curriculum development and modification.

Issue 4: Evaluation of Chairs, Deans, and Provost

Concern: Feedback about the performance of administrators tasked with advancing the academic mission of the institution is considered both a faculty right and responsibility.

Remedy: Proposed, written agreement that articulates a consistent process for the evaluation of chairs, deans across the colleges. Language can be taken directly from the Charter.

Issue 5: Input on the Selection of Academic Administrators

Concern:

Remedy: Develop an open, transparent process that allows for constituent group input on administrative appointment.

Issue 6: Faculty Senate Compensation

Concern: Without a formalized process for determining equitable workload reduction for Faculty Senate Officers, the ability to recruit future leadership may be hindered and thus negatively impact the Senate's efficacy and sustainability.

Remedy: A written policy endorsed by the Provost and President that specifies course releases or other forms of compensation for the roles of Chair, Vice-Chair, and Secretary.

Border: This gets back to what is mandatory and what is permissive. We'd like to re-introduce to the workplace the guarantees of the Charter. In regard to reconfiguration, would retraining or moving to another academic unit be the remedy? What do we want? Do we want an ARC committee? Or do we want the protections of the reconfiguration?

Blair: Where do you draw the line between what we want and what we feel is mandatory for shared governance? We have to let them know where we think we've crossed the line in regard to shared governance.

DeBard: That is one where I did think they made the changes for bargaining purposes. This does have to do with working conditions. What are you going to teach; where will you teach; what happens to you if your program is eliminated?

Blair: They will do what they have to based on what the budget demands and what the Kasich administration does.

Folkins: We could reinstate the committees but we can review this and see what might be a more acceptable alternative to the administration. What their function is and what their role is depends on how people are chosen to serve on them. If you are elected and want to be re-elected you will function differently than if the Committee on Committees (Com/Com) appoints you. The performance of the participants hinges seriously upon that condition. In a budget committee it would be a similar position.

Border: The Senate decides who its representative is.

Folkins: That's the Com/Com model.

Border: When it comes to College committees the Charter may still have language that governs this. That precludes the eventuality that a committee is loaded up with every constituency thereby reducing the role of faculty.

Blair: We've talked about budgeting, reconfiguration, and financial exigency as well as mentioning compensation for Senate leadership.

Folkins: We've already lost the battle on Chairs serving on Faculty Senate. The administration felt they needed to draw a brighter line between administration and faculty.

Border: I think that is a great shame.

DeBard: What about the issue of selection of academic administrators? They can put together a search committee but they are not obligated to do so. There should be an agreement in principle that this is best practice.

Carothers: Approval of degree programs has been struck.

Dinda: This seems like an academic issue. How can that be removed?

DeBard: Yes, all of this is academic governance.

Carothers: The faculty senate role in regard to budgeting is gone.

Border: It's really the role that Faculty Senate wants to play in these matters. Do we want a deliberative role in these matters?

Blair: We have a number of issues we can articulate in a single document or multiple documents. We have a format and some language to help get us started.

DeBard: I think we shouldn't overdo it. If we do have a collective bargaining unit that is authorized to bargain, they may want to get involved.

Folkins: I think we do this strategically and address as much as possible.

Border: I noticed going through the new Charter, some items about the budget are still there. Is that a point to make with the administration? If you're allowing us to participate in College level budget decisions, why can't we participate at the University level?

Blair: We could argue for parallel committee structures.

Border: Faculty should comprise the majority and be elected. When we talk about parallelism, we should stay with this principle of significant faculty participation.

Folkins: I think we need to push for the Com/Com model. If people are elected, it's in their best interest to act in a certain way.

Blair: In advance of our SEC meeting, I'll start a template to send to members of SEC to see if anyone feels particularly strongly about these issues. I think we need to set some viable deadlines for moving forward with this document – by the end of the term if not sooner. Anything that involves committees where appropriate will include students and staff.

Adjournment: 3:40 p.m.

Respectfully Submitted
Terry L. Herman, Faculty Senate Secretary