



OHIO FACULTY COUNCIL MEETING

December 13, 2019

ATTENDEES:

Members in Person:

Bowling Green University: David Jackson
Central State University: Anthony Milburn
Cleveland State University: Andy Slifkin, Bill Bowen
The Ohio State University: Ben Givens
Shawnee State University: Marc Scott and Kyle Vick
University of Akron: Jeanne-Helene Roy and Linda Marie Saliga
University of Cincinnati: Cynthia Ris
University of Toledo: Ainsworth Bailey
Wright State University: Laura Luehrmann, Brian Boyd
Ex-officio/non-voting: Former Chair Dan Krane, Wright State University

Members Online:

Bowling Green University: Jennifer Stuckey
University of Cincinnati: Greg Loving

Others Present:

IUC: Mike Suver
Ohio Faculty Senate: Terry Filicko

Regrets:

Kent State
Miami University
NEOMED
Ohio University
Youngstown State University

Marc Scott called meeting to order at 12:32 p.m.

Introductions all around for new folks

1. Approved agenda

2. Approved minutes

3. Guest Presentations: Mike Suver, IUC

a. HB 404—Board of Trustee Communication; being fast tracked in the House

Ohio Revised Code includes methods to promote efficiency in higher education. One means is the very short Ohio Bill pending to allow Board of Trustees to do business through e-communications. The IUC worked with Rep. Manchester who initiated this. It is in the House Higher Education Committee; they combined testimonies with proponents—an indication of moving this quickly. Mike testified on behalf of IUC. No one testified for opponents or general. May be the next meeting at which possible amendments and vote will occur (i.e., next year at the end of January when Capital Bill will be worked on).

Good representation; jointly sponsored and mix of co-sponsors with members of leadership. Republican caucus has said Speaker would like to see the Bill voted on. Chances are other chamber will also move.

Wanted flexibility but didn't want State to require certain types of communication; this permits BoTs to authority to adopt policies they would like. If changed, this would be worked into BoT's bylaws. Many broadcast live now. Some rural universities could benefit by e-means.

Provides basic parameters—Minimum requirements include:

- At least 1/3 have to be present;
- Each trustee still needs to be present at half of the BoT meetings;
- Votes are to be taken by roll call (even those not present);
- Trustee needs to provide notification 48 hrs or more before physical absence.

Requires BoT to create policy on this, but University policies could be more restrictive such as to require Chairs or Committee Chairs to be present. This aligns with more university practices that use e-communication for important business and could permit a wider pool of trustees. Does include community colleges but not other public entities.

Concerns raised about collegiality but expectation is that other meetings and chances to partner will be made availability; also percentage of meetings and sanctions for lack of adherence is up to BoTs.

Rep. Manchester heard from BoT member at Wright State in favor of such a bill, and moved bill quickly through required paths.

Some other states do the same thing. U Louisville, UK, Penn, etc. Handful noted and in other states

b. HB 88 (Free Speech) SB 40 is same as HB 88, but in Senate Education Committee where only 1-2 attorneys; most are educators without necessarily the understanding of the means to codify requirements about First Amendment issues.

Probably vote on bill early next year and pass out of Senate. We will have to make changes as palatable as we can to make a bad bill less bad. We need to support the idea of how dangerous this can make campuses. Testimony was direct about concerns, especially with

- Removal of sovereign immunity—institutions can be sued by anyone who feels their rights have been chilled and state entity is not protected;
- Mandatory fines are imposed so it encourages attorneys to file suit because they are guaranteed a minimum dollar award;
- Removal of fee to cover costs of speakers;
- Opening of language on sexual harassment;
- Expansion of public forum;
- Super free speech zone (which wouldn't apply to State House and City Hall for example); and, in general,
- Campuses would be treated differently; codify under ORC would go in different ways based on case law and federal mandates.

Senate is sympathetic. Meeting with sponsor of Bill. May make progress on sovereign immunity. Still may keep other clauses, however.

Handful of other states have something like this built on the Goldwater model—this is more restrictive; this is driven by Foundation for Individual Rights in Education (FIRE; Joe Cohn testified as proponent), Citizens for Community Value (CCV), and Alliance for Defending Freedom (ADF).

Because House Bill hasn't moved, log jam may be broken when bill comes from the Senate. Senate President may be willing to have vote on Bill and may feel free to run with it. Any Bill not passed by end of 2020 would have to be reintroduced, so they have the whole year.

Ohio Assoc of Community Colleges has same concern as IUC, as did AAUP as proponents. ACLU as interested party.

Other concerns: In construction cases alternatives to committing to prevailing wages

c. SSI:

Review required of HB 66 since passage of Budget Bil. Process of issue identification still ongoing; thinking about changing formula for next Biennium.

Consultation to look at employment outcomes to reward institutional performance of job placement. Governor wants this. Other things in formula drive funding, such as STEM weights, at-risk students, etc. This would be distributing finite fund based on course completion and

graduation—no additional funds available. Complications: post-graduation data isn't readily available.

Job Performance metric is still what the Governor wants. Managed by Chancellor—consultation required by June 2020 with the Governor.

In addition, consultation with 14 institutions and other issues, including mergers and acquisitions. E.g., Kent State U's incorporation of private Podiatric institution. How do you treat students who come in without SSI? More mergers and acquisitions likely.

IUC doesn't have June 2020 deadline, but IUC wants recommendations to be in next Budget Bill which will be drafted in Oct. for early 2021 (budgets in odd-numbered years)

1st Consultation will be in September; working with consultant called HCM Strategists who is also working with Presidents of institutions. Presidents and CFOs coming to determine guiding principles—ensuring affordability, mission neutral, simplicity, predictability, and others. Will finalize at next meeting. Will be used to provide recommendations.

Document provided is response by ODHE on how current formula is working. Still high-level, but provides good overview. Under no requirement to provide responses but could be written into budget—could phase it in past 22-23. Will advocate for new money for 2022-23. Hoping for net increase. Have been adding a little more each year. Once appropriated, that's the fixed amount of money.

Concern noted about data gathering that's expensive and without clearly reliable outcomes. Job salaries may be higher initially for STEM but grows for other majors. Looking at Census data as possibility. There would be requirement to use the same data source across institutions.

Identified other areas: For example, in TN it is those “who obtain job in a related field”; FL and 4-5 others is the percent employed one year out; placement in high demand field; other possibilities.

d. HB 2—Tech Cred. To make money available for employees to get a short-term certificate. Employer gets reimbursed for sending employees to programs—up to \$2000 not to exceed 30 employees and study needs to be completed within one year.

- iMap component is a concern where Institution upfronts the money. Institution can get money back. Costs can average \$4-\$6000 or more (or less), but max is \$3000, so then institution has to pay, and won't get money if student drops out—no reimbursement possible.
- If employer upfronts cost, better for us.
- Close to 500 applications though not all were provided; another round will begin early next year—have enough interest to dole out \$30 million and now start to be more selective about credentialing.
- Tech schools included.

4. Old Business

a. **Trustee meeting technology legislation (HB 404)**—Mike Suver discussed (see above)

b. **Free speech legislation (SB40)**—Mike Suver discussed (see above)

c. **Ohio Guarantee Transfer Pathways update**

- Ben unable to attend meeting in November
- Any exemptions would be scrutinized
- Some university and programs will ask for waivers, and this provides process to hear this. UC had exemptions for College Conservatory of Music. Block of credits that would come over for credit—modules. Pathways are specific to majors.

d. **Update on SSI funding formula**—Mike Suver discussed (see above)

e. **Paper Mill discussion**

We were asked to get on the agenda at our universities.

Shawnee State; Central State; Bill Bowen is looking at standard operating procedures for finding and handling information to dissuade activity of students buying or selling papers. Concerned about academic misconduct being processed by administration and may not involve faculty of record. Question about state-wide conversation about this topic. Are there places that could meet with them about best practices for identifying students involved in this?

ACTION ITEM: We could check to see if CIOs get together through IUC and if they are talking about this. We can decide if we need to pursue this in some way.

f. **Dan—connecting to Mike Suver’s report W**

ACTION ITEM: We may want to help Rep Manchester (on House Higher Ed Committee understand more about CCP. Mother is on the State School Board.

5. New Business

a. **Program closure processes**

Shawnee State had to close programs; question about how that happens at various institutions. At Akron, faculty were involved in discussions—19% of programs were closed but closure itself was not discussed. Review was noted as not being for economic reasons, yet the outcome was used to close programs. Wright State—data gathered for HLC—will use number for each program—cost divided by number of faculty. One administrator at a university noted that this kind of program assessment is often used for program elimination.

Problem: HLC is about program improvement, not elimination. At Shawnee State Program reviews cannot be used in program closure. Noted that in institutions with union contracts, there is often language about this.

ACTION ITEM: We should all email contract language to Marc Scott that deals with requirements institutions have to follow for any program closure.

b. OFC Special Election for Chair and Vice Chair

Call for nomination for Chair: Term still has 1.5 years to go and will complete Spring 2021

- According to bylaws, nominations come first, then elections in succeeding month;
- Marc Scott would not be eligible;
- Ben Givens nominated by Bill Bowen; request for discussion. Ben wanted to express some ideas:
 - Would want to continue momentum;
 - Tech commercialization award should be continued and perhaps others;
 - Continue to produce white papers and testimony to promote faculty interest;
 - Generate more pro-active situations and practices;
 - Quorum may need changing;
 - BoT has gone to four meeting quarterly—do we need as many meetings? Should be explored.

Linda designated unanimous ballot hearing no other nominees or objections—Ben Givens is elected.

Vice Chair will complete by Spring 2020

Laura Luehrmann nominated by Ben Givens

Linda designated unanimous ballot hearing no other nominees of objections—Laura Luehrmann is elected.

6. Campus Reports (2-3 minute summaries of news that would be of general interest to faculty across the state, such as changes in top administrative positions and/or contract negotiations)

David Jackson—looking at an online company at BGSU to provide an MA in Business (Administration Academic Partnerships / Instructional Connections) with similar deal/certain \$ per student. Concern: once you've given away half the tuition, you can't afford to have more faculty on board—but instead coaches are used from this company.

ACTION ITEMS: Send Reports to the Secretary for any other college updates.

7. Adjourn

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