



Chair, Ben Givens, Ohio State University

Vice-Chair, Laura Luehrmann, Wright State University

Secretary, Cynthia Ris, University of Cincinnati

**OHIO FACULTY COUNCIL MEETING MINUTES
24 July 2020**

12:30 – 2:30 PM
Virtual via Zoom

ATTENDEES:

Members Attending via Zoom:

Bowling Green University: David Jackson, Matt Lavery

Central State University: Leanne Petry, Anthony Milburn

Kent State: Ed Dauterich

Ohio University: Robin Muhummad

The Ohio State University: Ben Givens

Shawnee State University: Kyle Vick

University of Akron: Linda Marie Saliga

University of Cincinnati: Cynthia Ris, Greg Loving

Wright State University: Laura Luehrmann, Brian Boyd

Youngstown State: Mike Ekoniak

Ex-officio: Wright State University, Former Chair Dan Krane

Guests:

Terry Filicko, Ohio Faculty Senate/Community Colleges

Matthew Lavery

Sara Kilpatrick

John McNay

INSTITUTIONS WITHOUT REPRESENTATION:

Cleveland State

Miami University

NEOMED

University of Toledo

1. Approve agenda

2. Approve minutes and discussion of force majeure and will send updates for members

3. Draft white paper on the role of faculty in decisions around university reorganization

- Laura Luehrmann, WSU Faculty Senate President
- Linda Saliga, UA Faculty Senate Chair

Changes and reorganizations at institutions prompted white paper

Draft was prompted by institutions who are either post, in the middle of, or foresee the upcoming reorganizations.

Important point is to include faculty in decisions.

Q: what are mechanisms to bring about faculty reduction/loss?

At Wright State there is a 60-day window between proposal and action (with 60 day comment period)

Linda:

- Usually goes through Senate process and, in the end, board and administration have the prerogative to do this. Reorganization itself was not the means for letting faculty go.
- Changes were spread throughout campus; there are a couple of units with no one left. Some groups entirely let go (e.g., dance); 90 voluntary and 178 let go in reduction in force (97 faculty and the rest contract professionals).
- Unclear what criteria were used or who is going to identify who gets let go. Formally, the Chairs created first lists from departments and submitted first to Deans; they had to still be able to deliver programs. Some had a couple scenario/options; including some who were told they had a dollar amount they had to achieve. Initial goals were a 25% cut, but not across board; some took heavier and some less. One was as much as 38%, another as low as 18%.
- Some of who were let go were contract professionals; Akron may be the only university with members with this title who are part of staff—e.g., advisors and some in health professionals dealing with clinicals). If any administrators were let go, they may have been in contract professionals.
- AAUP sent out list of faculty

Q: Where should it be noted that Senate processes were not followed and how can concerns be registered about not following this?

Linda: Told more than any particular policies being clearly followed.

David Jackson: may be initiated by any member of University community—different procedure depending on who begins the process.

Dan: Who is the audience for white paper? Representative Rick Carfagna may be next Speaker of House and may have the role for 5 years; Dan was on special joint committee with him. His

positions and attitudes about faculty are good; Mike Duffy saw him as his successor. Perhaps one of audience members should be him and those amenable to legislation regarding (including the definition of) tenure. Legislators would not be in favor of anything that would clip the wings of Board to limit them in overseeing the financial viability of institution.

Perhaps more on how you might part ways with tenured faculty members that would directly acknowledge the promise/contract that tenure provides. Contractual relationship could be defined. ODHE wants Ohio to be known as the place faculty go to.

Subgroup of members came up from draft

4.Update on activities of the Ohio Conference AAUP

Sara Kilpatrick, Executive Director, Ohio Conference - AAUP

- Sara has been involved in State AAUP; mainly government relations work, Assembly, State teachers retirement system, and so on.
- The Ohio Conference helps organize state AAUP chapters and unions and deals with individual faculty cases. It has been seeing faculty terminations and program closures occur without aligning with long-standing AAUP principles and guidelines. While no way to compel them, they are trying to get the national organization involved and let them know. They are seeing firings without good reason at private institutions.
- Looking at financial impact of COVID: Advocacy for more state investment and federal stimulus bill. Need more funds, even where in relatively good shape.
- Should be considerations for working remotely such as those with individuals at home that who are at-risk.
- Social distancing of a concern; specific suggestions being provided for contract tracking, etc.
- For Akron: with 100 fewer faculty who will be teaching and researching; can we really say that it will deliver same academic quality that it has in the past? Have they invoked force majeure? Do they really have to make such drastic changes despite financial concerns? Trying to emphasize that they shouldn't make these changes without more information. How will they change if state cuts aren't as high or more funds flow in? Are we making good short-term decision making?
- There are long-term impacts on individuals and communities. One Ohio Now; faculty from Athens spoke—some of this can be career-ending and faculty are also not able to find jobs in the community so family and community are also affected.
- Would be a great chance to scale back on athletics and focus on academics, but that's not happening.
- Akron's faculty do have to vote on the contract, but those who are left may not feel they can speak out. Decision pending about whether arbitrator can decide if force majeure is appropriate and/or be able to go back to contract.
- If administration doesn't rescind or if layoffs go through, 99% chance that national AAUP will investigate and put university on sanction list. Most egregious attack on tenure for AAUP. Some institutions have decided to pause negotiations to see if they could just fire tenured faculty.

John McNay: Contract sets up shared process for reorganization but not all are following this

Linda: Not an option to strike until January because contract is in place until December.

Sara: Board can be asked to rescind lay-offs or to resign or leave board. Enrollment is showing higher than expected and problems have been long-term; faculty went down by almost 200 (700 to 500). Faculty tried to make their case. Cut only \$4 million from academics.

John McNay: Rudy Fichtenbaum did a budget analysis (came out on July 13th); while there are financial problems with high debt and lower enrollment, they are not in as bad of a condition as they say they are. There is an alternative understanding of budget.

Linda: Faculty Senate has not been involved in reduction; AAUP has been. Asked to call a special meeting for Monday. Asked to discuss Senate's response. Hasn't been a venue to discuss between faculty and administration; only AAUP and bargaining unit members. Playing out in press. Dialogue created; questions provided such as what instructions were given to Chairs to determine faculty? There were perceived choices by units, but some could only cut faculty as there was nothing else to cut. A resolution did come up for vote of no-confidence of the Board and that it should resign. Ended up going to the Executive Council.

Bill Bowen: Be sure you have press set up to have information out on advance Press Releases.

Ben: Unclear whether administrators were let go.

Linda: There was no one who looked at budget and future planning including buildings, etc. the University Council is smaller than Senate—3 faculty reps, 3 staff, 3 contact professionals, 3 UG, 3 Grad, administrators, Deans, Chairs. They have 2 faculty, chair and dean, etc. Third of all standing committees are students.

5.State Update—Ben

- SB606—immunity bill passed the House and Senate, but DeWine has not touched yet. It started off as bill to provide immunity to essential workers; only apply through end of calendar year. Doesn't include all public colleges and universities. Only protects institutions themselves.
- Bill to obtain and sponsor J1 Visas—increased reporting versions in language. Would have further chilling effect on international students and scholars. ICE decision was rescinded. AAUP weighed in on this to get some language cleaned up.
- Minimal reduction in SSI has really helped—thanks to all the groups that helped push for this. Upheaval with House Speaker indictment and could provide opportunity to advance interest. Some state and federal money for help with technology/connectivity.
- Vetoed SB 55 because of health department inclusion; may be overridden. New capital bill has not yet been introduced--\$2 billion to state agencies including higher ed. Won't be dealt with until Nov or Dec and will delay capital projects.

Dan: In a normal world, it would have died if not passed by May; people are concerned about whether folks can hit them for spending, but because it may be difficult to have rallies, etc., still unsure whether this would be pushed or not.

6. OFC Technology Commercialization Award

- Everyone should have received notice of email to VPR and Provost. Two different routes: Provost can nominate and Senate Faculty Senate Chair can nominate faculty member.
- Funds do matter. It takes subjectivity out of committee; how much licensing revenue and royalty revenue. Something like a lifetime achievement award. Receptive to honorable mention and so on, to bring attention to up-and-comer.

7. Old Business

Bylaw updated with two typos/clarifications

8. Open discussion about Autumn semester: “heading into the abyss”

- OU/Robin—concern about access to online option; even if you maximize flexibility to opt for online delivery. Doesn’t answer questions about concerns about public health. Pledge in the works as a community to pledge good safe behavior.
- UC/Cynthia: students Bearcat Bond sets out tiered levels of discipline from warning through expulsion.
- UC/Greg: Student concern bait and switch—said we’re opening up but now a lot is online. 40-50 conscientious objector students who won’t come if they have to wear a mask.
- BG/David: cleaning classrooms—wipe down surfaces and chairs; boiling cauldron of COVID—Matt: time gap between classes has not been extended. 70% f2f / rest remote. Any student not comfortable needs to be accommodated for. Not same accommodations for faculty. Questions keep coming back to safety. Unclear what happens if faculty won’t/can’t comply
- Shawnee/Kyle: given faculty choice about in person or OL, faculty with 40 or more students strongly encouraged to be online. Domino effect that smaller classes can move into larger classrooms. Until recently, this part of the state was not hit so hard, but things are changing as local numbers are going up. Half expecting that it’s going to be remote education before fall starts.
- Cleveland State/Bill: for Assistant Professors re performance, suspended all criteria for faculty and anyone who is tied to performance criteria.

August Meeting scheduled for August 14th and we can cancel week before if desired.

9. Adjourned at 2:35 p.m.

Respectfully Submitted,

Cynthia Ris, Secretary
OFC