



## The Ohio Faculty Council

### Members Present:

University of Akron (Rudy Fenwick[Chair], Wright State University (Jacqueline Bergdahl [Secretary]), University of Cincinnati (John Cuppoletti), Kent State University (Ralph Lindeman), Ohio University (Ann Paulins), Youngstown State University (Ken Learman), University of Toledo (Lawrence Anderson), Belmont Technical College (Carter Kaplan), Cleveland State University (Brian Ray), Northeastern Ohio Universities College of Medicine and Pharmacy (Frederick U. Eruo), and Shawnee State University (Chip Poirot and Michael Barnhart).

Members Absent: Bowling Green State University, Lakeland Community College, Miami University, Ohio State University and Central State University.

Meeting called to order at 12:37 pm.

Chair – agenda approved. Minutes approved.

SSU (Reads memo from EC of IUC to his president) Seeks relief from regulation. His president saw memo before SB5. His president didn't interpret it as wanting to get rid of collective bargaining, but as collective bargaining needs to be adjusted.

Chair - SB5 similar to Wisconsin

SSU – President said had been talking about regulatory reform for a while. There was a quasi consensus among faculty presidents. Meeting at IUC discussing Yeshiva language. Not approved by formal vote but sense of the meeting. A couple of presidents said we don't want to go this far. Details are fuzzy.

CSU – His president said he would bargain in good faith with the union as long as it was legal. Wouldn't otherwise talk about it.

Chair - Wanted to report about some things from last meeting. STRS resolution sent to house committee at Nehf's request and sponsor of HB69 which deals with proposed changes. I asked by STRS if any of us would offer testimony. Update from Nehf – confirms process. Eliminate employer pickup for defined benefit? Nehf – that is part of the discussion.

SSU – employer pickups means 10% we currently pay? Or what employer pays which is currently 13%.

M I N U T E S  
O F C Meeting • March 11, 2011

Chair – Increase employee contributions by 2% and reduce employer by 2%. Do not think will see elimination of employer pickup. Employers would probably have to contribute to SS if not contributing to pensions.

OU – It would be an enormous change in our compensation to get rid of that.

Chair – one reason to get rid of 35 year bump – It was intended to encourage people to work longer, but now we do anyway. Public sector employees with phds was 26% than phds in private sector, but 21% if you take our compensation into account.

UC – Based on long experience with this organization. We sometimes have to invite republicans and talk to people who wanted to change the textbooks, but we still need to work with people we don't like. Currently talking to BOR to develop friends. We need to be careful about how we address people who do things we don't like. Bruce Johnson for example – our draft resolution is confrontational and we need to avoid that because we need to work with these people. Doubts language about language about public records will be helpful. We are yelling at Mr. Johnson with this document. Does not feel comfortable doing this. Sledgehammer not necessary. If we can be positive and collegial then I am all for it.

CSU – I agree with toning down the resolution. We can get information in a polite and respectful way by a public records request.

UC – Write a letter instead of doing a public records request first. We can ask first and we know how to escalate. A letter can be shared. Then we can get to escalation – we need to first ask nicely. Make it clear we're not a bunch of hotheads.

SSU – get something off my chest. John and I have different perspectives. What John is labeling confrontation is clear, straightforward statement of fact. If there is significant discomfort and disagree. We ought not to get into name calling.

UC – point to discuss– what is the OFC? What is our role? Advise Chancellor. This is not the AAUP. It really does matter what this org is. What are we here to do? Promote higher ed in Ohio. Not to air grievances or fight.

SSU – 14 faculty senates designed to have input to governance issues. OFC is where to bring these bodies together. Look at policy and decide what is effective and what will work. Can't do that with restrictions.

UC – we need to remember what this group does.

Chair – couple of resolutions we need to deal with. Motion on floor to support resolution honoring Hugh Bloemer of Ohio University. (See Attachment A). Resolution passed. Second resolution is about YSU student.

YSU – one of our students who tried to settle down a confrontation.

M I N U T E S  
OFC Meeting • March 11, 2011

Chair – YSU resolution passed (Attachment B). Chancellor will not be stopping by as previously announced. I was pleased when his staff emailed me to meet with us. Jim Petro from Cleveland area. Ask him about charter university and extra class every two years. I will entertain a motion regarding SB5 – the most recent one.

SSU – one against SB5, one against IUC and Bruce Johnson

Chair – last one I saw was the split one – 4 whereas and 2 therefores. Collective bargaining.

UC – motion to accept and seconded.

OU – senate meeting on Monday night. Passed a resolution indicated support of OFC resolution to this effect. Miami , Toledo, KSU (HAVE PAPER COPY).

Chair – Resolution passed (Attachment C), Carter Kaplan abstained. Moving on to the resolution regarding IUC.

SSU – I withdraw the IUC resolution.

Chair – I would like some guidance about communicating with Bruce Johnson.

UC – AAUP has taken on Bruce Johnson directly. BOR will take up issue of Mr. Johnson's testimony and concerns of faculty from AAUP. If this committee could write a letter to Mr. Johnson – make public methods of analysis and data for savings by getting rid of collective bargaining rights.

SSU – given data by president of UT.

CSU – happy not to pass resolution. Wants to ask IUC to explain how they arrived at this course of action. Ask president – what resolution says. Issue – Bruce Johnson said in CHE I was authorized by presidents. Did he have direct authorization or not? Presidents are running from it.

UC – OFC calls on all presidents individually and collectively. Copy to all president and Mr. Johnson.

CSU – if Johnson made it up, legislature should know. If OFC doesn't want to submit public records request.

OU – OFC could make this request because it does have a direct link to faculty work. We value free and full information. So we can respond – could be individual.

SSU – wondering if in discussing letter should we discuss that this is not good free market economics. My wife worked with defense contractor – spent a lot of time

accounting for what they did. Why is it a group of university presidents who wants to dismantle state oversight of state institutions?

CSU – We have IUC memo. It might make sense to reference it. Earlier letter from Gregory Williams to Kasich Dec 20<sup>th</sup> which is the same thing. Leaked by governor to press. And has been asked to explain it and he has not.

Chair – think it would read better as letter than resolution. Ray will draft letter and freedom of information request.

UT – body needs to be more proactive and less consultant. If collective bargaining is dropped, Faculty senate will be the one.

SSU – Bring charter and chancellor's directive to next meeting and sit down and think about what does this charter direct us to do and not do. So we don't have to have this argument again.

OU – Think it would be a very helpful framework. Reference our charter in our resolutions.

Chair – this group depends on level of activity from constituent members. Some find it hard to get here. Has continued because it is an important organization. Advisory groups don't make policy – they give advice.

SSU – We can advise them not to do it. Charter universities – don't. Basically something between a public and a private university. Institutions with state in their name in exchange for all kinds of relief of regulation. Quasi – private. State keeps giving us more regulations and less money.

Chair – regulations – which ones apply to public vs private? In memo I will scan and send.

UC – AAUP nationally about charter – comes without definition. So they can do whatever the hell they want without scrutiny.

UC - If we get no good feedback from this letter. Upon what authority do faculty presidents turn universities into charter ones? What authority do they have to discuss this? Must be some limits on what a state university president can do.

SSU – any legal requirement for president to consult faculty?

UT – Ohio state charter is pretty good about laying out roles. Toledo doesn't have charter. President only responsible to BOT.

Chair – when we unionized we spelled it out. And they did it in private in the dead of summer. They also have been able to avoid public information requests. Local AAUP filed several requests they have not been filled. Not optimistic about IUC request.

CSU– they will resist.

UC – IUC is voluntary organization.

CSU – if they don't answer or say they are not public. Then we can file an action. The threat of litigation may be enough. Public records request of IUC may create a public record.

SSU - Rita on IUC encouraged him to file public record request.

CSU – tell presidents not to fight this.

NEOUCOM– write letter and see what we get by next meeting.

CSU – sunshine law that private entities can be consider public for records purposes.

OU – does anyone know what they pay to be member of IUC?

UC – advantage of letter first. When we do public record request we can say some presidents have encouraged us to do it. To start in-fighting.

CSU – multiple identical requests is that some will be more forthcoming than others.

SSU – thing I discovered about president' personality is that she really wants to be liked and well thought of.

UC – attach IUC memo to request. Refer to it in letter with request for information.

SSU – Discussion of faculty governance committee organization changes.

UC – each committee should have its own bylaws specifying membership.

UT – population set by the board. UT is debating whether faculty have full authority over curriculum.

SSU – mini battle I had to fight came from directors.

CSU – other thing we have discussed is importing collective bargaining into the faculty manual (constitution).

Worked on editing letter to IUC on screen. Letter will sent to Bruce Johnson.

M I N U T E S  
O F C M e e t i n g • M a r c h 1 1 , 2 0 1 1

YSU – uncomfortable sending it to presidents.

SSU – each of us will deliver it to faculty president and ask them to deliver it to president.

CSU – email me if you are interested in public record request.

Chair – try and get new chancellor to come.

Meeting adjourned at 2:31.

Attachment A

**OFC Resolution to Honor Hubertus L. “Hugh” Bloemer**

In memory of Hubertus L. "Hugh" Bloemer (1939 – 2011), be it resolved that the Ohio Faculty Council recognizes and honors his distinguished service and exemplary contributions to higher education in Ohio.

Dr. Bloemer is well known for his firm proclamation that members of the faculty are of high importance in the system of higher education, second only to the students they teach. His belief in this hierarchy was widely shared with university presidents, chancellors, provosts, and deans throughout his many years of faculty work.

Hugh Bloemer came to the United States from Germany in 1960 and earned his bachelor's degree in geography from the University of Cincinnati in 1966. He received his master's degree in geography from Kent State University in 1968 and his Ph.D. from the Union Institute in 1977. He began his career at Ohio University as an instructor in 1971, was promoted to assistant professor and tenured in 1977, and was promoted to associate professor in 1984. He taught at Kenyatta University in Nairobi, Kenya, during a Fulbright year in 1989-1990. Dr. Bloemer served as director of the Department of Geography's Cartographic Center from the time of his initial faculty appointment until his retirement in 2009. Recognized as a gifted cartographer, teacher, and mentor, Bloemer also served as chair of the Department of Geography from 1993-1998 and chair of Faculty Senate from 2001-2004.

Throughout the past decade Hugh Bloemer has been a regular participant in the Ohio Faculty Council's activities. His expertise and council was sought by faculty and administrators, even after his retirement, when he continued to serve as an alternate representative from Ohio University to the Ohio Faculty Council. The legacy of his achievements and advocacy for faculty work will continue to be felt at Ohio University, across the state, and globally.

Attachment B

**Ohio Faculty Council Resolution**

**March 18, 2011**

*Whereas*, needless acts of violence are abhorrent to all of society;

*Whereas*, such violence against young people is especially egregious;

*Whereas*, Ohio's university campuses and the surrounding communities should be safe havens for Ohio's leaders of tomorrow;

*Whereas*, the recent acts of violence against young people near the campus of Youngstown State University also represent an attack upon all of Ohio's citizenry;

*Whereas*, the senseless death of Jamail Johnson, a student at Youngstown State University, resulted from this heinous act;

*Whereas*, Jamail Johnson's selfless, brave actions during this tragedy prevented additional casualties at the expense of his own life;

*Whereas*, Jamail Johnson's death is an enormous loss for his family, Youngstown State University, and all of Ohio;

*Now be it resolved* that the Ohio Faculty Council send its deepest condolences to the family of Jamail Johnson and that Council members are encouraged to support the Johnson family in its time of need;

*Be it further resolved* that the Ohio Faculty Council send its condolences to Youngstown State University and the surrounding community;

*Be it further resolved* that the Ohio Faculty Council send its best wishes for the quick and full recovery of all others injured in the above event;

*And be it further resolved* that a copy of this resolution be provided to the Johnson family, the President of Youngstown State University, and the Chair of the Academic Senate of Youngstown State University.

Attachment C



**The Ohio Faculty Council**

**Resolution**

**March 18, 2011**

I. Whereas, The Ohio Faculty Council (OFC), recognized by the Chancellor of the University System of Ohio (USO) and the Ohio Board of Regents (OBR), represents the Faculty Senates and their respective faculty, or faculty who participate in the governance of their institutions through assemblies which include administrative staff of all of the four-year public colleges and universities in the State of Ohio;

II. Whereas, SB5 contains language effectively stripping all higher education faculty of their collective bargaining rights by redefining them as “managerial employees” based on their participation in core shared governance activities such as “admissions, curriculum development, subject matter and methods of research and instruction”;

III. Whereas, SB5 as it is currently written also significantly limits the rights of all other public employees, including the hourly staff of public colleges and universities to engage in collective bargaining;

IV. Whereas, SB5 has significant potential to disrupt the collegial working relationship that has characterized Ohio institutions of higher education and to create an environment of uncertainty for both faculty and hourly staff on multiple matters;

Therefore, be it resolved that:

1. The Ohio Faculty Council is opposed to limiting the collective bargaining rights of all Ohio Public Employees, including hourly staff at public colleges and universities;

2. The Ohio Faculty Council is opposed to the specific wording in SB5 that eliminates the right of faculty to engage in collective bargaining based on their participation in the governance of public universities.