

CASE WESTERN RESERVE UNIVERSITY
Faculty Senate
Meeting of November 21, 2006, 3:30 - 5:30 p.m.
Toepfer Room, Adelbert Hall

AGENDA

1. Approval of Minutes of the Meeting of October 31, 2006 J. Alexander
2. President's Announcements G. Eastwood
3. Provost's Announcements J. Anderson
4. Chair's Announcements J. Alexander
5. Report of the Executive Committee J. Alexander
6. Proposal from SOM on Dept. of Ophthalmology Name Change
(Action Item for the Faculty Senate) E. Pearlman
7. New Business
8. Faculty Senate Budget Committee Report G. Starkman
9. Update on Partnership with Fisk University K. Karipides
10. Discussion of Budget Committee Organization J. Alexander
11. Presentation by Vice President Lara Kalafatis
12. Announcements

Attachments:

Memo from the Chair

Minutes of the Meeting of October 31st

Memos in Support of Department Name Change

New Business Items

Talking Points from Chair of Budget Committee

CASE WESTERN RESERVE UNIVERSITY

Faculty Senate

Meeting of October 31, 2006, 3:30 - 5 p.m.

Toepfer Room, Adelbert Hall

Minutes

Members Attending

James Alexander

Jeffrey Alexander

John Anderson

Mekeshia Bates

Cynthia Beall

David Crampton

William Deal

Gregory Eastwood

Lynne Ford

Thomas Frank

Anita Gilliam

Julia Grant

Arthur Huckelbridge

Kathleen Kash

Edith Lerner

Charles Malemud

David Matthiesen

Vincent Monnier

Carol Musil

Sena Narendran

Eric Neilsen

Ronald Occhionero

John Orlock

Sandra Russ

Paul Salipante

Matthew Schiefer

Philip Taylor

Aloen Townsend

Rhonda Williams

E. Ronald Wright

Others Present

Marsha Bragg

Randall Cebul

Joanne Eustis

Donald Feke

Maureen Garnett

Grover Gilmore

Kathryn Howard

Christine Hudak

Lara Kalafatis

Hue-Lee Kaung

Patrick Kennedy

Tony Kinslow

J. Adin Mann

Meral Ozsoyoglu

Jeffrey Robison

Charles Rozek

Hossein Sadid

Samantha Skutnik

John Wheeler

Jeffrey Wolcowitz

Professor Alexander, Chair of the Faculty Senate, called the meeting to order at 3:30.

Approval of Minutes

The minutes of the previous Faculty Senate meeting on September 25, 2006 were approved as distributed in paper copy at the start of the meeting; later sent via e-mail. Attendance is to be noted by signing in.

Presentation by the Chairman of the Board of Trustees

Frank Linsalata was welcomed by Professor Alexander who also thanked him, and the members of the Board, for openness in communication across constituencies and the enormous investment of their time. They both noted that this may be the first time a Board chair has addressed the Faculty Senate.

Mr. Linsalata spoke about the Case Board membership - size, selection process, demographics, terms, organization/committees, responsibilities, and their financial commitments to the university. The members represent a broad spectrum of background, talents and business interests, and are quite diverse. Their major issues currently are those also shared by other members of the university community - trust, financial stability and education.

He also addressed the presidential search - the committee members, the schedule, and the information received at a large number of open forums with all the constituencies. Several advisory groups have been formed in response. He hopes that we will be able to conclude the search early in the spring but promised not to be governed only by a deadline.

President's Announcements

President Gregory Eastwood reported that the Board of Trustees met two weeks ago; they discussed the financial condition. The prediction is for a \$10.5 million deficit on a \$803 million budget - perhaps slightly over this by \$1 or \$2 million. We hope to be close to this figure but factors which can affect are things such as late payments on expected grants.

The university has decided on the re-institution of visiting committees on which trustees will participate along with other important constituencies for our individual schools. These are to be advisory and not evaluative of the deans, and advocating for our schools.

Provost's Announcements

John Anderson announced the Winter Gala event for March 17th of 2007. This will be a return to a traditional celebration with the change that this will be a charitable event. Patricia Princehouse and Susan Hinze are a small advisory committee.

Starting in Fall '07 we will be expanding the technology fee currently paid only by dorm students to all students of \$213 per semester; those enrolled in 4 credit hours or fewer will pay \$100. This will go toward the budget for installation of the new Student Information System. We need to keep investing in our Information Technology services. The provost noted the reasons for this being a fee rather than being part of tuition. Some faculty expressed several concerns.

Chair's Announcements

Chair Alexander reported that he had made a presentation at the recent Board of Trustees meeting, and that he had been meeting interested alumni while on the presidential search committee.

Faculty membership on the ad hoc Avian Flu committee was announced: Ron Wright has agreed to serve a chair; members are Judith Oster (CAS), Stephen Wotman (Dental Medicine), Joseph Prah (CSE), Amos Guiora (Law), Carol Kelly (Nursing), Aloen Townsend (MSASS), JB Silvers (WSOM), and Vincent Monnier (Medicine).

The Ohio Board of Regents is conducting a re-authorization process for our educational programs and degrees, the first in the past 10 years. Their focus is on our certificate programs, programs in which academic credit is earned and transcribed.

Also mentioned was the recent dinner meeting and discussion between the Senate Executive Committee and the Trustees' Academic Affairs and Student Life Committee.

There are no additional updates on the presidential search process; Professor Rhonda Williams asked for consideration of diversity as an important issue.

Report from the Executive Committee

David Matthiesen reported that approval was given for sexual harassment training and a panel of faculty members willing to serve on a hearing panel if needed, a similar process to the faculty grievance hearing panel.

A draft charge on Openness in Research on the Campus was referred to the Senate Research Committee for further study and reporting.

A discussion took place with the Staff Advisory Council chair Kathryn Howard about granting voting status at Senate meeting to the person holding that position. This will likely be referred to the By-Laws Committee.

Report from the Graduate Studies Committee

Professor Meral Ozsoyoglu, for the committee chair Ica Manas-Zloczower, brought a motion forward to approve oversight and guidance for postdoctoral scholars/fellows for academic issues. The rationale acknowledged that the committee did not have the expertise to evaluate non-academic issues such as health care, visas, etc. The committee can provide access to the Faculty Senate for all issues, though some would need to be referred to other standing committees or offices, as determined by the Executive Committee. The Dean of Graduate Studies, as advised by the Postdoctoral Researchers Association, can provide access to the Graduate Studies Committee of the Senate.

The MOTION as stated below, was approved without opposition.

* The Graduate Studies Committee of the Faculty Senate will provide oversight and guidance for academic issues for postdoctoral scholars and fellows.

* The Graduate Studies Committee of the Faculty Senate will not oversee non-academic issues for postdoctoral scholars and fellows. The Graduate Studies Committee may bring these issues to the Faculty Senate Executive Committee for distribution to other standing Faculty Senate Committees.

Proposed Revisions to the UUF Bylaws

Professors J. Adin Mann and Christine Hudak, a past and the current chairs of the University Undergraduate Faculty Executive Committee, both were part of the committee to review and revise the UUF bylaws. Such recommendations were approved by the UUF faculty at the UUF General Faculty Meeting on May 2005. With the review and recommendation of the Senate By-Laws Committee last year, there is now a motion to approve the revised UUF Bylaws, as distributed with the agenda. There were no questions and the MOTION to approve the Revised Bylaws of the UUF passed.

Report of the University Libraries Committee

Chair Paul Salipante said that the committee engaged in active discussions over the summer and are reporting early in the semester on several issues which come forward later in the form of a resolution or resolutions on Digital Case and new methods of communication, and the library budget. [The text of this report is attached to the minutes.]

Digital Case and Open Access was a Faculty Senate resolution last spring. This is an important issue for scholarly performance. Faculty are paid to do research and they give it freely to publishers who sell it back. The committee believes faculty should retain enough of the rights to be able to post their research to Digital Case. Professor Salipante urged faculty to look for information sheets being distributed through each school's representatives on the committee. Copyright amendment language is being developed, and Joanne Eustis and Tim Robson are visiting faculty and deans of these issues.

The committee is now visiting budgetary issues. Our rankings with the leading library associations are going down each year, now 108 of 113 institutions, based on holdings. Print versions of serials have been cancelled and the library is trying to retain electronic versions, especially for Engineering. These are serious issues and problems for all schools in the university.

Comments from the faculty:

- John Orlock noted the response to the urgent matter of the IT fee and asked who could respond to the library's problems with the same force?

- Julie Grant asked about the Digital Case plan and whether this would affect rankings? And would untenured faculty needing to publish be adversely affected if they wished to retain publishing rights? What would be those persons' incentives to post to Digital Case?

In reply, Professor Salipante said that libraries do not record electronic transactions so it would not help our rankings; and he feels younger faculty would be helped by retention of their publication rights - he knows publishers and what they will allow.

President Eastwood urged the Faculty Senate to have a say in the budget for the libraries.

Update from the Office of Development

Vice President Jeff Robison had promised regular updates to the Faculty Senate on progress toward achieving goals. The last presentation was about plans. Now he can report that the Annual Fund is up over \$400,000; have received a \$1.5 million gift for the chair in Orthopedics from local business; \$1 million grant from the Lennox Trust to endow Professor Arthur Heuer's lab; plans for donor recognition society dinners to be called Great Minds, Great Futures; that we have moved beyond problems with the Case Alumni Association. With strong giving noted in October, he is able to look forward.

On Development staff performance--he is pleased with the efforts and results but we can do more. The president and the provost are making trips to visit potential donors. Alumni are loyal but are somewhat cautious right now--there is a new branding task force, four deans have resigned.

He noted the history of fund raising performance--beginning the recovery, emphasizing "asking" and proposals, and continuing the Annual Fund emphasis on scholarship funding.

Mr. Robison was asked about allocation of Development staff and central university control of efforts. He acknowledged that some functions are in central but that of a total staff of 53, 13 are in central and 40 are with the schools.

Presentation by Vice President of Human Resources

Continuing the practice of asking different vice presidents to highlight the functions of each of their offices, Tony Kinslow made his presentation for Human Resources on their roles, accomplishments and initiatives. He acknowledged the many jobs of Carolyn Gregory and Kathryn Hall. They all work hard to keep the budget balanced with variable rate for benefits, negotiation of new plans for health and dental care and lower rates for wage grade employees, established workforce budget options, workforce performance standards and shared services initiatives, review of best practices. Many key initiatives for 06-07 were listed. Case has received a "Best Place to Work" award but more can be done, noting morale issues.

In response to questions on how decisions are made, he noted that discussions begin in the University Fringe Benefits Committee.

Some said that they would wish for more opportunities for discussion prior to decisions being made, a positive example was on the choice of Anthem to replace QualChoice. They thanked him for all this shared information.

There was no New Business or Announcements. The meeting adjourned at 5:40 p.m.

Lynne E. Ford
Secretary of the Faculty Senate

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[Text of the Report made to the Faculty Senate on October 31, 2006]

Library Committee Report to Faculty Senate, October 31, 2006
Paul Salipante

Committee meets monthly with staff representatives from the campus libraries. Early academic year report on two major agenda for the Committee. May return for further report or proposal later in the year.

1. Committee agenda: Stimulating faculty knowledge and use of *Digital Case* and *new modes of scholarly communication*. Helping to shape Library and University policies regarding these:

Digital Case is:

- the digital archive for archiving and posting the scholarly work of the University in an *open access* form.
- a principal mechanism for pursuing the goals of open access contained in the F/S resolution of April, 2005.

What are the stakes for faculty of Digital Case and open access?

- Whether CWRU research, your research, will be disseminated and used by scholars to a greater or lesser degree than that of scholars elsewhere.

Author's rights is a key issue that has been identified and is being discussed by the Committee:

Consider the unfortunate process for Universities: The university pays us to produce research; we then sign over to commercial publishers the rights to our publications; the University must then buy back the research product from the publisher, often at very high cost.

Consequently, and as our 1995 resolution specified, when work is accepted for publication, we must strive to retain the rights to post our research in an open access manner, such as on Digital Case. Making such efforts is a responsibility of faculty.

There are recent legal developments on ownership issues – at least one court has ruled that research is *work-for-hire*, owned by the university. The university can, then, retain that right, but it is routinely (as here at CWRU) handed over to faculty.

What are the Library Committee's actions and agenda for this year?

An information sheet on the above has been prepared by the Committee and is (being) distributed now to faculty and graduate students through email from members of the Library Committee. We ask Faculty Senators to alert their colleagues to this information sheet and the potential of Digital Case.

The Committee is working with library staff to develop capabilities for supporting faculty in the retention of their rights to openly post and freely use their own research. John Reilly, legal counsel at the University, has developed a draft of a copyright amendment that faculty can use in seeking from publishers the right to post their work. This amendment and its use will now be discussed with the Provost's Office.

The Committee is monitoring the legal developments on work-for-hire and other universities' handling of ownership issues. We will consider the implications of these developments for our faculty's responsibilities to retain their authors' rights.

With Joanne Eustis and Tim Robson from Kelvin Smith Library, Committee members have been meeting with faculty groups, center directors, research committees, and deans to work out methods for using Digital Case, in order to make the University's research more accessible and prominent. We are seeking to identify workable strategies and promulgate them throughout the University.

2. The second agenda for the Committee is examining budget and cost inflation issues that hamper the University's libraries in providing the support required for faculty's scholarly work.

For the past three years the Library Committee has placed its emphasis on the issues just discussed – namely, working with the libraries so that CWRU is among the leading research universities in developing the capabilities for faculty to utilize new modes of scholarly communication

This year, in fairness to the faculty, we recognize that we must also focus on the financial support issues, since the libraries are in danger of not being able to provide the basic support services that faculty require.

Some facts that the faculty must know:

In the Association of Research Libraries rankings of libraries at major research universities, CWRU ranks 108 out of 113, based largely on the number of volumes contained in and added to our collections.

Over the past three years, the budget of Kelvin Smith Library has averaged an annual increase of less than 1.5 %, while the inflation rate in library materials has been 8 to 10% annually.

The number of library staff on our campus is substantially lower than at our peer institutions, indicating that we are very efficient in staff utilization.

In response, the libraries have made

- Substantial cancellations of serials subscriptions, especially print versions.
- Reductions in our already historically-low purchase of books.
- And, they have not replaced some staff who leave.

What are the stakes for the faculty?

-The libraries now have no further room to make cuts without removing basic services that the faculty depend upon. Consider an example: IEEE publications for the School of Engineering are expensive (in the 100,000's of \$s) but essential. Negotiations have been ongoing between KSL and the School over the last year to figure out how to avoid cutting the IEEE subscription.

- The budgetary agenda for the Library Committee, then, is
- To attempt to ensure that the faculty's needs for proper library resources are vigorously represented and argued in the review of budgetary processes now underway at the University, and
- To attempt to identify alternative ways to fund the libraries long-term, in order to change the historical pattern of occasionally incrementing library support and then letting it decline over succeeding years.

We seek to work jointly with the F/S Budget Committee on these issues.

Faculty Senate Meeting of November 21, 2006 - Agenda Item 10.

The Faculty Senate Budget Committee and the Constituent Faculties

Background for members of the Faculty Senate:

Prepared by Glenn Starkman

- 1) The faculty senate budget committee (FSBC) is charged with three principal tasks
 - (i) "participating with the Administration to assure that budgetary goals and priorities are responsive to academic plans" on the other hand:
 - (ii) "advis[ing] the Faculty Senate on the financial feasibility of the University's current and planned education programs, activities, and facilities, and their effect on the operating budget, capital requirements, and financial health of the University."
and "on budgetary questions as they affect current and planned educational programs, activities, and facilities."
 - (iii) "review[ing] and report[ing] to the Faculty Senate on the adherence to budgetary priorities and the attainment of budgetary goals."

Characterize this as:

partners with the university administration,
watchdogs for the faculty,
advisers to the faculty.

Each of these roles has had its time and place.

It is important to note that the FSBC makes no binding decisions, nor must the administration or the Senate obtain the approval of the FSBC for any actions.

- 2) In a decentralized university such as CWRU, most programs and activities, and thus most revenues and expenditures occur in the constituent faculties.
- 3) Traditionally, most constituent faculties have had no faculty committee of their own serving these three roles.
- 4) This means that:
 - (i) the FSBC cannot draw on a pool of faculty who are well informed about their own constituent faculties.
 - (ii) The FSBC often feels that its ability to probe the financial state of individual units is limited; and that this has hampered and is especially hampering its ability to advise the Senate on the financial health of the University.
 - (iii) Many schools have no clear avenue for providing faculty input into, creating faculty buy-in into, or sharing the reasoning behind financial decisions.
 - (iv) Many faculty feel absolved of responsibility for all collective financial matters.

These are negatives at any time, but particularly at times when the university or individual units face financial difficulties.

5) The FSBC is considering asking the Senate to alter its structure so as to include representatives of faculty budget committees of each of the constituent faculties.

For example, chapter 2, article VI, section C., paragraph 1 of the Constitution of the Faculty, might be amended to read:

The Budget Committee shall consist of one voting member elected by each constituent faculty Budget Committee, three members of the University Faculty at-large, at least one of whom must be an elected member of the Faculty Senate, the chair of the Committee on Faculty Compensation ex officio, and such additional members ex officio as shall be specified in the by-laws. The at-large members shall be elected to serve overlapping three-year terms. Should the terms of senatorial members of the Budget Committee extend beyond their terms as members of the Faculty Senate, they shall complete their committee terms as non-senatorial members.

6) This would necessitate that constituent faculties form such committees under their by-laws.

There are precedents for expecting constituent faculties to have committees to serve particular purposes. These are usually included in Chapter 3, Policies and Procedures. One could alternatively enunciate such expectations in Chapter 2, Article VII (Structure of the University Faculty), Sec. A (Constituent Faculties). This article establishes the constituent faculties and their roles, lays down the requirement that each constituent faculty have a dean,... This section also requires that the constituent faculties have "essentially democratic" governments.

7) The Provost, who has been part of the discussions with the FSBC on this issue, has held discussions with the Deans and has requested that each form a budget committee including at least two elected faculty members. Such committees are in the process of formation. Their structure -- size, composition, how the members are selected, charge -- will vary considerably. Given the great diversity in size and culture of the constituent faculties a diversity of structure is probably appropriate.

8) The FSBC seeks the advice of the members of the Senate on two principle issues:

- * The restructuring of the FSBC

- * The establishment of committees within the constituent faculties:

- (i) their composition

- (ii) their charges

- (iii) how they are selected. and in particular how prescriptive the FSBC should be in its proposals to the Senate.

On this latter matter, the FSBC offers its own view for consideration by the members of the Senate. Deans will always be free to seek advice from whomever they please on matters under their purview. To the extent that the FSBC has been able to offer independent advice to the administration and reliable reports to the Senate, it has been in part because it is chosen by the faculty. The presence ex officio of senior members of the administration with appropriate expertise -- the Provost, the CFO and the VP and AVP for Budget and Planning -- is invaluable, but it is the independence of the faculty members of the committee that has allowed the FSBC to execute its charge.

To this end, the FSBC has considered (but puts forward only as a point of discussion) the following draft language:

Each constituent faculty shall have a Budget Committee. The regular members of the Budget Committee shall be selected from among the regular faculty of the constituent faculty by direct election or by appointment by a directly elected body established under the by-laws of that constituent faculty.