

Summary of SB-1 Changes in Terms & Conditions of Employment

Faculty Workload Policy

- University must adopt a workload policy and review said policy every 5 years.
- Policy must include
 - An objective and numerically defined teaching workload based on credit hours
 - A definition of all faculty workload elements in terms of credit hours with a **full-time workload minimum standard established by the Board of Trustees** and made public on the University's website
 - A definition of justifiable **credit hour equivalents for activities other than teaching including research, clinical care, administration, service,** and other activities as determined by the University
 - Administrative action that the University may take for failure to comply with the policy's actions to include, but not limited to:
 - Censure
 - Remedial Training
 - For-cause termination (requires recommendation of Dean or Provost, concurrence of University President and approval of Board of Trustees)

O.R.C. 3345.45

Evaluation

- Chancellor to develop minimum standard questions. The question “**Does the faculty member create a classroom atmosphere free of political, racial, gender, and religious bias?**” must be one of the questions.
- University to develop written student evaluation questions to include standard questions from Chancellor and focused on teaching effectiveness and student learning
- University to establish a written system of peer evaluations for faculty with emphasis placed on the faculty member's professional development regarding the faculty member's teaching responsibilities
- **University to develop a faculty annual performance evaluation policy**
 - Must be updated every 5 years
 - **Must contain an appeals process** for faculty to appeal the final evaluation
 - Evaluations are to be conducted by department chair, reviewed and approved or disapproved by the dean and submitted to the Provost for review. If the chair and the dean disagree, the provost shall have final decision authority

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- Evaluation to include an assessment of **each of the following areas that the faculty member spent at least five percent of their annual work time on** over the preceding year:
 - Teaching
 - Researching
 - Service
 - Clinical care
 - Administration
 - Other categories as determined by the University
- Evaluation shall include a summary assessment of **“exceeds performance expectations,” “meets performance expectations,” or “does not meet performance expectations”**
- Student evaluations shall count for at least twenty-five percent of the evaluation
- Evaluation shall **establish a projected work effort distribution** for the faculty member for the next year
 - Used during the following year’s evaluation
 - Must be compliant with Faculty workload requirements
 - Must be approved by the dean of faculty or the equivalent

O.R.C. 3345.451

Tenure

- BOT to review and update policy on Tenure to promote excellence in instruction, research, service, or commercialization, or any combination thereof
- Policy to be updated every five years

Post-Tenure Review

- University must establish a post-tenure review process
 - Must contain an appeals process for tenured faculty whose review results in a recommendation for administrative action
 - Post-tenure review **to be conducted if tenured faculty member receives a “does not meet performance expectations” evaluations within the same evaluative category for a minimum of two of the past three consecutive years** on the member’s annual performance evaluation
 - Anyone maintaining tenure after a post-tenure review that receives a “does not meet performance expectations” in any

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area of the annual evaluation in the subsequent two years shall be the subject of an additional post-tenure review

- Department Chair, Dean, or Provost may require an **immediate post-tenure review at any time for a faculty member who has a documented and sustained record of significant underperformance** outside of the faculty member's annual performance review.
 - Shall not be based on member's allowable expression of academic freedom as defined by the University or Ohio law
- **Post-tenure review process not to exceed six months**
 - One time, two-month extension may be granted by the President of the University
- Provost to submit recommended outcome of the post-tenure review process to the University. Administrative actions may include, regardless of tenure status:
 - Censure
 - Remedial training
 - For-cause termination
 - Any other actions permitted by the University's post-tenure review policy

O.R.C. 3345.453

Retrenchment

- Defined as “**a process by which a state institution of higher education reduces programs or services, thus resulting in a temporary suspension or permanent separation of one or more institutional faculty, to account for a reduction in student population or overall funding, a change to institutional missions or programs, or other fiscal pressures or emergencies facing the institution.**”
- University must **eliminate any undergraduate degree program it offers if it confers fewer than five degrees annually in a three-year period**
 - Chancellor may grant a waiver under which terms the program may continue, including a determination of whether the program is eligible to be supported by state share of instruction funds
- **University may offer separation incentives regardless of whether the incentive is contained in a collective bargaining agreement**

O.R.C. 3345.453

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For any collective bargaining agreement entered into on or after the effective date of SB1/HB1, notwithstanding section 4117.08, the standards, policies and systems relating to Tenure, evaluations, and retrenchment are not appropriate subjects for collective bargaining

- University must continue to bargain retrenchment policies for faculty with at least 30 years but not more than 35 years in the State Retirement System at the time of retrenchment

O.R.C. 3345.455

Eliminates Faculty ability to strike. If either party rejects a fact finding report, the issue will now be sent to conciliation (final binding arbitration)

O.R.C. 4117.14