



THE OHIO COUNCIL OF CHIEF ACADEMIC OFFICERS FOR TWO-YEAR COLLEGES

November 12, 2009

10:05 am – 1:50 pm

Ohio Board of Regents Conference Room

Attendance:

Becki Kurtz, Belmont Tech	James Baber – Eastern Gateway	Gloria Goldman – Sinclair
Richard Prystowsky, Central Ohio	Karen Wells – Lorain County	Ryan McCall – Southern State
Martha Crawmer– Clark State	Dennis Budkowski – Marion Tech	Dorey Diab – Stark State
Judith Scherer – Columbus State	Karen Reed – North Central	Lisa Jozwiak - Terra
Kathy Telban - Cuyahoga	Cindy Krueger – Northwest State	Dixie Vaughan – Washington State
Sharon Brown – Edison	Paul Unger – Owens	Chad Brown – Zane State
Molly Weiland – Hocking College	Roberto Gutierrez – Rhodes State	

The meeting was called to order by the Chair, Richard Prystowsky at 10:05 am.

Rule 2 – Request from Stephanie Franz, OACC

Language that may be problematic is related to contract and funded course sections. Owens was told that companies who pay tuition for courses will not receive subsidy for those courses even though subsidy was previously received. The rule seems to be a new interpretation of rule 2. There are two pieces of evidence – total cost of education; it becomes a very anti-business interpretation. Students receive the same services.

#11 - Consider whether contract and grant funded should be separated.

Presentation of various scenarios is needed to show how rule will be interpreted.

Take the new language for credit hour definitions already established and use in rule 2.

Proposed Regulations for the Higher Education Act Amendment, Case Updates – Cheryl Hacker, Principal Assistant Ohio Attorney General

Clinical agreements – 1) patient care is the responsibility of the clinical agency. Two cases were shared: 1) Academic dishonesty/plagiarism/defamation; and 2) public records/exams. Case reviews are attached. Institutions need to take measures to protect exams.

HEOA Regulations

Campus safety, emergency alerts are part of this act. Highlighted three regulations were highlighted: 1) distance learning, 2) pre-approval for new campus locations, and 3) monitoring program growth. Handout was distributed (attached).

Cheryl asked about future Topics for discussion. Suggestions included intellectual property and social media. It was also suggested that a basic overview for new CAOs be scheduled. Dec. 4 conference will focus on records retention in the morning while the afternoon will have breakout sessions including state contracts and, employment issues.

Distance Learning Plan / Program Sharing – Kate Carey, Ohio Board of Regents

Three of four work groups are chaired by community college sector. The Program sharing group is working on a survey. The goal is to keep students at the center of the process. Student services group is looking at tutoring. The Big Idea group is looking at a highly interactive portal with student support services and content.

Quick start program – 42% of students who go through the program, enroll in college. Retention is being followed term to term. The program works with ABLE to recruit students.

Kate will be leaving OBR for a new position at Otterbein.

OACC Update – Ron Abrams/ Mike Snider

Rule 2 – Offer questions as positive feedback. Dorey Diab, Paul Unger, Judith Scherer, Karen Wells, Dennis Budkowski, Richard Prystowsky volunteered to meet with Ron Abrams, Darrell Glenn, and Stephanie Franz to discuss rule 2 further.

Draft of Operating Manual – seems to be stalled since Dr. Danley left OBR. Suggest submitting a white paper that is more thoughtful that includes issues with program approval and review. It could help us become more forward thinking. Identify principles that make up a good degree program – what is role of institution and role of OBR.

Volunteers to work on the white paper – Chad Brown, Dorey, Diab, Richard Prystowsky, Molly Weiland, and Karen Reed.

Centers of excellence – originally seen primarily for universities. Chancellor will be leading the extension of Third Frontier. There is a new document on centers of excellence; copies will be sent out. Community college will be considered for centers of excellence. Continue to tweak as a conceptual approach until further

Budget issues – tax revenue has been tracking well with estimates. There has not been much discussion on budget issues. There have been no estimates on impact of casino bill.

Funding of the statewide license for CCSSEE – this has not been discussed. OACC could possibly look at negotiating a statewide agreement.

SSI Consultation Committee – one consultation that Rich Petrick is leading that has three pieces: 1) Establish common definition for at-risk student. Recognize that some institutions have more “at-risk” students – trying to equalize funding. This is the only place where the definition of “at-risk” is being used. 2) Identify and define the momentum or success points. Several models have been run on state of Washington’s plan. Funding will be based on set of principles –will probably get down to five success points. 3) Doctoral level funding is third group.

After first of year, plan to look funding for ABLE and adult workforce. Funding needs to be determined for non-credit courses.

Achieving the Dream – Lumina Foundation & Gates Foundation: Gates foundation is having on-going conversations with OBR and OACC. They are focusing on Texas, North Carolina, Ohio, and Washington. The foundation likes the strategic plan of Ohio. OACC might be given a planning grant. In preparation for discussion with Gates Foundation; need to share placement tests and cut-off scores.

State-wide symposium – combine student services and faculty symposium with different tracks for the various groups is currently thinking. There will probably be a registration fee. Could work in Achieving the Dream content. The symposium is scheduled for March 4 & 5, 2009. Topics include online learning, social networking, use of technology in classroom, assessment. Faculty have requested to present at the conference. It was suggested to have a track on assessment or achieving the dream topics.

Semester conversion – the presidents want a mixture of membership on the committees.

GEO news – This publication has articles on colleges with energy programs. Colleges can choose to participate.

Homeland Security advisory council – Mike Snider is serving on this committee that is writing a grant for education. He has been encouraging the group to work with community colleges.

Meeting next week on apprenticeship programs; looking for a state-wide agreement. Pilot to happen with electrical trades programs.

Business Meeting

Approval of Minutes

Minutes of October 8, 2009 meeting were approved as written following a motion by Karen Reed, and a second by Dennis Budkowski.

Treasurer's Report

Report was distributed. Dues are paid by all institutions. Current balance is \$9015.08

Old Business

Statewide Committee list was circulated for corrections.

New Business

Meeting with OACC Presidents – Dorey Diab and Ryan McCall presented at the last Presidents meeting on the Draft of the Operating Manual. A summary of the major points presented was distributed. It was suggested a different approach be used because it might look like we are not concerned about quality. We could meet the sufficiency of faculty requirements if funding followed the recommendation. It was suggested to give the expanded version of our comments to Stephanie Franz.

Next meeting December 10, 2009

Submitted by:
Cindy Krueger

Report to Two-Year Chief Academic Officers

November 12, 2009

CASE UPDATE

1. Academic Dishonesty/ Plagiarism/ Defamation

Bhavin Mehta v. Ohio University, Ohio Court of Claims, Aug 18, 2009

Plaintiff, a former associate professor whose duties included advising students in the mechanical engineering program on their thesis, brought a defamation action in response to the university's investigation into allegations that graduate students in his program committed plagiarism in their thesis work.

A two-person committee, appointed by the Provost had prepared a strongly worded advisory report to the Provost in May, 2006, which stated that "rampant and flagrant plagiarism" occurred over 20 years and 3 faculty members had "blatantly chosen to ignore their responsibilities by contributing to an atmosphere of negligence toward issues of academic misconduct in their own department." The report was published on university website subsequent to a media public records request. Plaintiff responded that the statements were false and defamatory and damaged his professional reputation.

Law: In order to prevail on a defamation action, plaintiff must show: a false and defamatory statement made by defendant, the statement was published, and defendant was at least negligent. Law also recognizes right of person to hold an opinion.

Holding: Court found that a faculty member who's duty is to mentor graduate students has responsibility to ensure thesis is properly supported and that plaintiff lacked insight into the academic standards at institution. Court found that defendants' description in the report was protected expression (opinion). The words "academic honesty" and "integrity" are terms prone to various meanings. Other factors: Provost's request to revise and fact that university posted subsequent to media records request.

2. Public Records/ Exams

State ex rel. Perrea v. Cincinnati Public Schools, Ohio Supreme Court, September 17, 2009

A teacher from the Cincinnati Public Schools made a public records request to the school district for the uniform semester exams administered to all 9th graders in district. The district refused to produce the exams by claiming trade secrets and copyright. The exams were created by group of faculty with assistance from a nonprofit testing agency. The school district spent over \$750,000 to develop multiple exams for various grades. The exams included multiple-choice and questions, are re-used and the school takes precautions to protect and secure the exam. The Supreme Court found that exams were exempt from public records act, since it met the Ohio requirements for establishing a claim of trade secrets: 1) derives independent economic value by not being available to others; 2) efforts made to maintain secrecy.

HEOA NEW REGULATIONS

Accreditation Agency Requirements issued Oct 27, 2009

➤ Distance learning

- Recent Act amendment: accreditor must require an institution that offers distance learning to have processes through which the institution establishes that the students who registers in a distance education course or program is the same student who participates and receives credit.
- New Reg 34 CFR 602.17(g): Requirement met if
 - institutions verify the identity of a student by using, at the option of the institution, methods such as secure login and pass code, proctored exams, effective technology.
 - Institutions must use processes that protect student privacy and inform students if the institution student will be charged for cost associated with verification of identify.

➤ Pre-approval for new campus locations

- New Reg 34 CFR 602.22(a)(2). Accreditor may preapprove additional locations if:
 - Institution successfully completed at least one accreditation cycle and one renewal, or accredited for at least 10 years;
 - There is satisfactory evidence of a system to ensure quality across the board including: academic control, adequate faculty, facilities, financial stability, long-range planning for expansion.

➤ Monitoring program growth

- Recent Act amendment: Accreditors must monitor growth of programs that are experiencing “significant enrollment growth.”
- New Reg 34 CFR 602.19
 - Does not define “significant enrollment growth”; accreditor must reasonably define.
 - Accreditors must monitor overall growth of institutions or programs it accredits and at least annually, collect headcount enrollment data from institutions and programs.