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Inter-Institutional Faculty Senate

Interinstitutional Faculty Senate

Oregon Health & Science University

Portland, OR

April 4, 2008

Present (Senators): Joel Alexander, WOU; Lee Ayers, SOU; Peter Gilkey, UO; Solveig Holmquist, WOU; Kirsten Lampi, OHSU; Kathie Lasater, OHSU; Lani Roberts, OSU; Craig Wollner, PSU; Jane Perri, OIT; Janet Crum, OHSU; Jeff Johnson, EOU; Maureen Sevigny, OIT; Kate Hunter-Jaworski, OSU; Joanne Sorte, OSU; Mina Carson, OSU; Robert Mercer, PSU.

Present (Others): Rosemary Powers, Board representative from EOU; Hannah Fisher, student board member, PSU; Robert Turner, OUS; Dalton Miller Jones (Board representative, PSU).

The meeting was called to order at 1:05 pm by IFS President Ayers.

Greetings and update on loss of tort cap (Joe Robertson, President, OHSU)

Collaboration (inter- and intra-institutional) is increasing, a key to success in academe.

In a technical sense, we didn't lose the tort cap. The ruling actually stated that in the particular situation in question, the tort cap did not provide for an adequate remedy. The Oregon Supreme Court did not say that a tort cap was unconstitutional. Lawyers chose a sensational case at OHSU to test the tort cap, but this ruling does not apply only to OHSU. It affects all public entities in Oregon. Small municipal agencies are especially vulnerable, because one large ruling could bankrupt an entire town.

The impact to OHSU was \$30 million out of a \$1.5 billion budget, but it's two-thirds of OHSU's net margin and two-thirds of OHSU's state support. The \$30 million is neither made up nor inflated. It is based on work done by internal and external experts and is the middle of the range identified. OHSU also priced private insurance, and the quote for covering providers alone was \$39 million. OHSU's cost is less than that, because it self-insures.

OHSU is finding the needed money by taking 1/3 from central services, 1/3 from adjusting financial targets, and 1/3 from programmatic changes. OHSU will receive no relief until a new law is tested all the way through the courts, so programmatic changes had to be made.

The tragedy is that the tort cap was not updated by the Oregon Legislature. During the last legislative session, the higher end of the proposals was \$1 million per individual and \$3 million per incident. Had that passed, OHSU's costs would have increased by \$5 million. The current, large increase is due to an uncapped environment. We need a public debate weighing the rights of individuals versus the public good and a middle ground, with a higher but not unlimited tort cap. Robertson thinks the process will be as much political as rational. He is confident that there will be some limit on liability after the next legislative session.

Comment and question: It feels like OHSU is now sharing the pain experienced by other schools in the state. How do we maintain and recruit NIH-funded researchers at OHSU?

Robertson says that OHSU is working with the OHSU Foundation to target academic programs, recruitment and retention of faculty as the highest priority for funding. They are working with the Research Council to prioritize areas of research where OHSU is best performing and has the greatest synergy. OHSU has multiple educational programs that are interinstitutional, e.g. the regional medical education program, for which funding wasn't passed last year. He hopes the legislature will recognize that program's value and fund it.

Robertson doesn't think the current funding issues are scaring residents away. OHSU is dependent on its health system for academic programs. But the funding issues are affecting the career choices of students, because tuition is rising.

Is the tort cap an issue when OHSU partners with other medical facilities? Robertson says that's now less of an issue, because with the tort cap, OHSU would not be seen as a preferred target for suits, leaving the partner as the preferred target. That is no longer the case.

Some people argue that since other health systems don't have tort protection, why should OHSU? Robertson argues that OHSU handles high-risk cases that they could not do without a tort cap. The University of Washington does not have a tort cap, but their state allocation is seven times what OHSU receives in state funding.

What sorts of cases fall under the tort cap? Anything. One of the proposed solutions is to have separate caps for medical malpractice and everything else. Robertson is troubled by that, because it's the severity of the injury, not the cause that should matter. He noted that all the schools operate student health centers, which potentially face medical malpractice suits.

Robertson said that the public will demand a solution, especially the small communities. He thinks the solution will be fairly generous toward protecting the rights of the individual. No state is moving away from caps, and many are moving toward caps. Over two-thirds of the schools of medicine have some type of cap. OHSU is the lowest-funded of any school in an uncapped environment. The next one up receives seven times the funding OHSU does.

Will this have any effect on the regional nursing programs? Robertson isn't promising anything, but the regional programs are really important to OHSU. They are very expensive.

Comment from a senator: Workforce issues in health care are worldwide issues. Robertson: It's a moral issue. We have filled our workforce needs with people from countries that have their own needs. OHSU is committed to partnering with any agency in the state to develop residencies. The federal government capped the number of residents for which OHSU can bill Medicare/Medicaid, but there are other agencies in the state that don't have this cap. They could partner with us to develop residencies and receive federal funds.

Ayers commented that with the loss of the tort cap, some police departments don't want to allow practicum students due to potential liability issues.

Update on Essential Skills – Robert Turner, OUS

Turner distributed a handout with information on the K-12 board's leanings on assessment. According to Turner, the critical issue is whether these changes will make students better prepared for college and the workplace. He doesn't think that locally-generated and locally-scored instruments will achieve that.

Ayers noted that the recent report from Margaret Spellings, *The Test of Leadership: Charting the Future of US Higher Education*, seems based on an evidence-based practice model. We have to

show that we're producing students that are marketable in the global workplace. Federal funding will follow this model.

Turner thinks there's resistance in the K-12 community to anything that's not locally-controlled. There would be a political advantage to ODE if OUS gives its stamp of approval to the new high school diploma. The feedback he received from OUS faculty indicated that tests need to measure performance, not just bubble-in standardized testing, and that improvements need to happen at the elementary school level. Higher ed needs to produce elementary school teachers who are comfortable teaching math and other subjects. Students need to be prepared for high-stakes testing by having lots of tests in middle and high school, with feedback on what they need to improve. They need practice with testing to perform well. Don't teach to the test; teach how to test. Comment: When Beaverton School District began giving the ACT to sophomores through seniors, they discovered that counselors were "under-encouraging." The students demonstrated abilities that the counselors didn't realize they had. They saw increased enrollment in calculus and other advanced subjects. Giving these tests earlier can encourage students to live up to their potential.

Question: If tests reveal that a student needs assistance, will that assistance be available?

50% of new teachers are no longer in the profession five years after graduation, and it costs \$22,000 to educate a new teacher.

Are the deans of the colleges of education at any of these meetings? Turner's task is to develop a plan for education faculty to be better resources for K-12 educators. He hopes that they will agree that there needs to be a greater presence of education faculty in K-12 classrooms, and they need to bring that knowledge back to their teacher education programs.

One senator expressed concern about the preparation given in schools of education. The focus is on methodology rather than an intellectual experience. Also, they sometimes have problems getting teachers to do what they've been trained to do. Some are trained in how to teach history but then are assigned to teach a different subject the next year.

Comment: Some higher education faculty make less than K-12 teachers. Also, we have a small number of education faculty, supplemented by adjuncts.

An extensive discussion of regional institutions and funding for higher education followed. Key points included:

- Restructuring regional institutions: Is restructuring/sharing functions robbing regionals of their identity/vitality? Each regional institution is different; what should they share, and how? With almost four million people in Oregon, can we afford seven institutions? We will have a large influx of people entering Oregon in the next ten years. Will we have enough capacity to educate them? If we can't offer affordable education, there will be enough capacity, because Oregon students will go somewhere else. If the state is unwilling to subsidize regional institutions, they will go away or provide substandard education. Effective leadership is the key to making a regional institution prosper.
- What should regionals share? With a common president, each campus would still need its own CEO. A dean for a common major across all regional campuses? But the students are completely different on each campus. Some functions could be centralized to save costs (e.g. HR, centralized business office) without taking away identity. We have to think out of the box to save money. It's a challenge to get things done when working with people who don't know you or each other, who don't communicate with each other.
- Under the current "entrepreneurial" model, we are competitors. We can change the dynamic by working as partners rather than competitors. We should think of ourselves as one body. If we cut tuition at the regional institutions, that would encourage more students to enroll there. But that would hurt the larger schools. Discussion about the

Bend campus, competitiveness, etc. Enrollment in Bend isn't keeping up with population growth, because much of the population growth is retirees rather than college students. Our institutions get very territorial rather than operating as part of a single system. When larger schools reject an applicant, do they suggest they apply to one of the regionals? It's a way to keep Oregon students in the system. The Board is investigating a new information system, so that when a student applies, s/he would go into an OUS applicant pool. The applicant would indicate first, second, and third choice schools.

- Relationship with community colleges: Turner indicated that they are brought into conversations as appropriate. Ayers reported that SOU offers dual enrollment with their local community college, and they refer students to the community college for certain courses.
- OSU is trying to attract international students who will pay out-of-state tuition. Lots of state institutions are doing this.

Gilkey announced that UO will grant degrees to students affected by the Japanese internment. Roberts noted that the impetus for this decision came from a project by some of her students.

Returning to the topic of essential skills: Turner stated that IFS should be represented on the review panel looking at assessing essential skills. Dalton said the Board would like 3-4 faculty to be part of an assessment panel. With the current system, different people are involved at different times, which creates some chaos. He suggests that his committee build funding into the option packages they are preparing for an assessment panel. Having a panel would build expertise and consistency. That panel could also be helpful with accreditation requirements related to assessment. There was a discussion/debate about the role of classroom teachers vs. assessment experts in this process. Accreditors expect us to develop a culture of assessment.

OIT went through accreditation last year. OIT appointed a head of assessment, but every department has at least one person given release time to do assessment, and everyone is involved. In the OSU engineering department, assessment is linked to annual performance reviews. Faculty are required to link their course objectives to the institution's learning outcomes. They also have to prepare improvement plans for each course.

Regarding student evaluations, we need to assess what students learned, not assess the teaching. Idea Center method has students evaluate how well the course met its objectives, as defined by the instructor. It also includes questions on whether the student wanted to take the class or took it because it is required. That information is used to weight the responses, since it's difficult to be successful with a student who doesn't want to be in your course.

Learning Outcomes Task Force Report – Bob Turner (Chancellor's Office) and Lee Ayers (SOU)

The Provost Council has approved moving forward with the Task Force on Learning Outcomes Assessment. They have approved money for a conference and for a system-level assessment person. A 10-member team will attend the AACU Conference in May at Minnesota State University. This group will represent OUS, taking a systematic approach to learning outcomes. They hope to specify to the legislature what is needed to increase quality. The outcome from this task force should be a set of assessments.

Many campuses have collected lots of data but haven't done anything with it.

The Spellings Commission was the impetus for this task force. If you can't demonstrate it, document it, and prove it, it won't be funded. The four main issues from the Spellings Commission are being addressed by this effort. Accreditation requirements demand this

emphasis on assessment. The Chancellor believes that we have to take data to the legislature on student performance.

Portland Initiative – Leslie Hallick, OHSU Provost and Chair of the Portland Initiative

Hallick distributed a report, “Portland’s Higher Education Agenda for the 21st Century,” from February 2008.

Portland Subcommittee of the Strategic Initiative Committee was made a standing committee of the Board. The Portland Committee is working on a proposal for collaboration between OUS and OHSU and on sustainability. The OUS/OHSU effort includes several ideas with a lot of potential if they are done collaboratively. Hallick discussed the following possibilities:

- Joint programs, e.g. public health (an accredited program with three universities); biomedical engineering (OSU, PSU, OHSU); OTRADEE (?) focused on drug design, including chemical biology; and a joint degree in pharmacy with OSU and OHSU.
- A building shared by OHSU and OUS programs: Collaborative programs need space, would benefit from proximity, and could be fundable.
- Technology transfer and research translation into the commercial sector: Oregon doesn’t have an incubator for these projects, and universities can’t afford to provide one. They envision a partnership with Portland, the Portland Development Commission, and state development people to build a place where small spinoff companies can be located, giving them time to grow and providing infrastructure for fledgling companies.
- A GMP (good manufacturing practice) facility: If you want to give a drug, supplement, etc., to humans, it has to be generated in a GMP facility. A GMP has to be isolated, not a bench in someone’s lab. Everything that comes in or goes out has to be controlled and tracked and must meet FDA requirements. We don’t have that in Oregon for substances that are just out of clinical trials.
- A clinical trials office: OUS universities would like to collaborate with OHSU, because they have stuff that could be trialed, but they don’t run clinical trials themselves. A clinical trials office is the place that coordinates and administers clinical trials. A small clinical trial doesn’t require an entire FTE. A shared office could manage lots of clinical trials.

Questions and comments:

- Someone asked if IRB could be included in this effort. Hallick said that could be considered at some point. The idea is to create structures that make it really easy to work together in research. Would a shared IRB facility create more red tape? Hallick agreed that if a collaborative center just adds a layer to the approval process, that’s a bad idea.
- There’s lots of overlap between veterinary medicine and OHSU. Hallick said there are collaborations going on already and there’s potential for efforts there. She will follow up on this idea.
- Is someone from the Linus Pauling Center participating?. Yes, and they have discussed nutrition programs. The governor has indicated that he would look favorably on a collaborative building, but Hallick doesn’t know if funding for that would take away from other capital projects.

- Someone suggested looking at the Food Integration Research Center to see what their experience has been. She also recommended that the deans be involved as soon as possible.
- Is there a bioethicist involved? Not yet, but it's a good idea.
- Even if we don't get a building, the conversations are positive.

Hallick invited other suggestions for this effort. Email hallick@ohsu.edu.

Legislative Update – Neil Bryant, OUS legal representative

The supplemental session in February lasted about 24 days. The revenue forecast that arrived during the session was about \$144 million lower than the December forecast. They have reserves and a rainy day fund, but legislators don't like to dip into those. The Legislature chose not to disburse funding for faculty salaries during the supplemental session. They are waiting for the June revenue forecast, after which Ways & Means can decide to disburse all, some, or none of it. They may wait till the September forecast to disburse any. The Legislature has been conservative in their budgeting and projections, so Oregon is doing better than some other states. They expect that the forecast may drop by another \$100-150 million, which Bryant described as "not very much." What will happen if the forecast drops? They don't want another special session, especially just before an election. He thinks they will only go into special session if the economy really tanks. He doesn't think they will release all the money for faculty salaries in June, but they may release some, since many agencies have already made commitments to employees. They may continue to hold the money if forecasts remain bad, eventually leaving it up to the new Legislature to make the decision.

In the past, OUS has been able to raise tuition, but there is now a cap on tuition. Schools would have to raise tuition 6% to make up the difference if the money isn't released. DAS has asked the chancellor to ask each campus: What would happen if you got 50% of the money or none of it? We need to make sure that the legislature understands the impact of losing this money.

Dalton asked the senators if their departments had been asked for scenarios for responding to projected cuts. At least one person said yes.

Questions and discussion re: what we can do to prepare for FY09:

- Communicate to legislators how important this is to our institutions. We can be most effective with our individual legislators, and the key ones are in the leadership or on Ways & Means.
- Pernsteiner recommended waiting until the chancellor's office has heard from all the campuses, so they can craft a consistent message.
- Legislators want to hear how it will affect students. Pernsteiner recommends using specific examples, e.g. a search in which they couldn't get top talent because of low salaries. Someone else suggested telling rural legislators about the impact on the most vulnerable students.
- Bryant recommends thanking the legislators for the budget they gave us.

OUS is putting together the budget request, which will go to the governor first. There isn't much we can do to influence the governor. By December 1, the governor is required to publish his budget. At that point they will know whether it's good for OUS or if they should lobby for more.

Chancellor's Update – George Pernsteiner

Pernsteiner spoke with the state economist. He said that April is a telling month, because they get more data then. The economist is cautious, because he doesn't know what April will bring. He had forecast an increase in personal income tax revenue but a big drop in corporate taxes, because of a big drop in corporate profits. None of the other indicators will change very much, which is positive news compared to the grim national outlook.

The governor has proposed increasing the corporate minimum and putting the additional money in the rainy day fund. The legislature is worried that things will get worse, but the economist's preliminary information is not negative.

Compared to most states, we are holding up reasonably well so far. We have reserves that many states don't have, but there's no political will to tap those reserves. The governor and legislature will probably make cuts before tapping the reserves. They don't need a special session if the governor does an across-the-board cut. They do need one if he wants to make targeted cuts.

He thinks that if the economy doesn't pick up, we probably won't see any of the salary money in 2008 and possibly not at all. If the economy picks up, we should see some of it. OUS will couch the impact of losing this money in two terms:

1. What kind of tuition increase would be required to buy back the lost funds;
2. A series of reductions. The only ones the legislators will care about are the ones that affect students, because other cuts won't matter to their constituents.

It's possible that campuses are holding onto money in anticipation of losing the salary money, because they know they might not get it, but they've already signed employee contracts. That's a good short-term tactic but a bad long-term tactic. The chancellor is not going to suggest that as a tactic with DAS because it shows no impact on students and no pain. They will focus on the long-term impact of losing this revenue. We need to address this as a problem rather than just considering how to get by this time. It's more difficult, because we don't know how much we will get, and we may not know it for another year, at which point the money will have been spent. That makes planning very difficult.

The situation is problematic but not dire. We want to talk about long-term negative effects.

Talk about eliminating classes, hiring an adjunct instead of filling a tenure-track position (legislature doesn't like using adjuncts as a strategy).

Do we have long-term data tracking graduation rates? Yes, and we're better than we used to be. How do we track students at risk? In terms of student success in the aggregate, we've never been better.

2009-2011:

- Package 101: Intended to bring us to the middle of the pack in state support. Focus on student enrollment, faculty salaries, and student-faculty ratio. They funded the first installment, and they are expecting another installment. May add additional items.
- Transition to funding degrees rather than students, funding based on degrees rather than FTE. Need money to start the transition. Degrees are the outcomes states should pay for.
- Money to allow regionals to freeze tuition at current levels to make those campuses more cost-competitive with their peers. We are a very high-cost state for regionals compared to their peers and a low-cost state for big schools like UO.
- Graduate education package
- Research package

- Teacher education package – will also be in K-12 budget
- Health care workforce package – with OHSU, community colleges

The governor still intends to propose a minimum 10% increase in the OUS budget. It would be easier to do that with a package of proposals everyone is expecting rather than a bunch of new things.

Chancellor really wants to spend most of their attention on Package 101. They should use that as the vehicle for the things that matter the most.

Comments/discussion:

- Funding based on degrees: Needs to be done very carefully to avoid unintended consequences. Concern that it opens the door to legislators dictating the kinds of degrees. That's already happening with health care degrees: the legislature will pay for degrees in certain fields.
- Can lose sight of quality in this corporate model. What happens to education as a dialogic practice? It's gone as a public investment and becomes a private good.
- Salary dollars: We should have gotten \$9.5 million this academic year. Will it be calculated as an existing service commitment? It's supposed to be, which means it's supposed to carry forward in our base budget for 2009-2011.
- Question about capital construction: the governor is committed to capital construction, in part because it creates jobs.
- If the salary money had been appropriated in the regular session, we would have it. Because the money is in the E-board, it's handled differently.
- What other funds are being held in the E-Board? Salary money for all state agencies. They asked us for a plan to take a 2% cut in S&S, but that plan was rejected.
- Will be discussing student services, registration, financial aid, etc., for regionals. Report will be made to the Board in July based on what consultant finds.

New initiative: Sustainability in the curriculum

Need to infuse sustainability throughout the curriculum, an issue being referred to the IFS. How can we create a sustainability-focused culture? Faculty will drive a lot of this—curriculum, research, etc. They want to convene groups of faculty across disciplines and campuses around various topics. Not expecting a specific outcome right now, a longer-term project. Comment: concern about widening the gap between higher ed and rural areas with economies based on using natural resources.

Discussion about involving IFS members in various committees: concern that OUS asks for IFS participation, but the IFS nominee never hears from OUS.