
FACULTY SENATE MEETING # 546

March 20, 2014

12:45 P.M. in BAB 123

Present: Wai Mok, Charles Hickman, Fan Tseng, Pavica Sheldon, Ryan Weber, Joe Taylor, Linda Maier, Christine Sears, Carolyn Sanders, Nick Jones, Anne Marie Choup, Mitch Berbrier, R. Michael Banish, B. Earl Wells, James Swain, James Blackmon, Jeff Evans, Ellise Adams, Anna Benton, Peggy Hays, Phillip Bitzer, Luciano Matzkin, Debra Moriarity, Peter Slater, Letha Etzkorn, Richard Miller, Lingze Duan, Seyed Sadeghi, Nikolai Pogorelov

Absent with proxy: Dan Sherman, Derrick Smith, Eric Seemann, Bhavani Sitaraman, Kristen Herrin, Marlena Primeau

Absent without proxy: Chris Allport, Keith Jones, Deborah Heikes, Ying-Cheng Lin, Junpeng Guo, Kader Frendi, Carmen Scholz, James Baird, Craig Cowan, Leonard Choup, Richard Miller

Guests: Coach Les Stuedeman, President Robert Altenkirch, Provost Christine Curtis

➤ Faculty Senate President Mitch Berbrier called the meeting to order at 12:45.

➤ Charles Hickman motions to suspend the rules. Wai Mok seconds.

➤ Les Stuedeman, Head Coach UAH Softball

This is my 19th season. We want to have a faculty/staff appreciation day after Spring Break, in April. If it's okay with you, me and some softball players and baseball players will be coming around and inviting you personally to this event. We are going to have fireworks after the games on that Saturday. We will have inflatables and free hot dogs. We are really excited about it. We appreciate what you do. I had a student on campus yesterday, she's looking at other colleges, and this one is a bit more expensive, but education wise, we are way above anything else she's looking at. She is going to come to UAH because of y'all and what you do. We appreciate that. Being able to sell the best education in our conference against our competitors is what I sell first and foremost to every kid that comes on our campus. We want you to know that we appreciate you. We want you to come, bring your family, and bring your dogs. You're all welcome. Please encourage your staffs and your colleagues to come out that day. We play baseball and softball against Christian Brothers that afternoon at Charger Park. We appreciate you and we thank you for what you do and how great this education is.

○ Mitch Berbrier: What is the date?

○ Coach Steudeman: Saturday, April 12. The games will start at 4:00 pm. Baseball typically will run a little longer because they play a 9-inning game and we play a 7-inning game. We are planning for the fireworks to go off between 7:30 and 8:00 pm. Our park is dog friendly in the back behind softball, just have them on a leash. Also, the softball players and Dr. Altenkirch are putting together softball team to play against some of our all-star players.

Any questions? Thank you for letting me come in today. I look forward to seeing you at Charger Park.

➤ President Robert Altenkirch

Summer School

I think we've finished the Summer school. We pumped up the compensation to teach more classes, so it's up to you to teach those classes. Mitch Berbrier: Too big how, in terms of too punitive or too hard for them?

Board Meeting

The Board meeting is on campus April 3rd and 4th. The Governor will be here. People have told me that this is the first time ever that the Governor has come to a Board meeting. When I was talking with Paul Bryant over the telephone, I mentioned to him that the Governor is coming. He said he asked him to come. I will make an institutional presentation. Mitch Berbrier is slated to make a presentation. The President of the SGA will give a presentation. There is not a whole lot on the agenda.

- **Agenda**

- Lease Agreement

- There is a Lease Agreement for us to lease some of a building that is for sale, which is to the right of Shelby King Hall across from Technology. We will move the Maddox operation from VBRH into that building.

- Education Degrees

- A proposal to establish a B.S. in Education for Secondary Teaching. Right now the way that you become a high school teacher by coming here is you get a disciplinary degree with a certification to teach. We will put a parallel path in place where you can get an Education degree with a concentration in a discipline and the student can choose either path. It's a marketing effort, so hopefully we will get more Education students.

- Master of Science in Cybersecurity

- The Master of Science in Informational Assurance and Security has proposed to change the name of it to a Master of Science in Cybersecurity. Information Assurance is the old term and Cybersecurity is the new term. Nothing changes about the program.

Athens State

Athens State in 2012 pulled out from under the 2-year system by legislation and established a separate board. They're a stand-alone institution. They have proposed to offer graduate programs. In order for them to offer graduate programs, they have to get approval from ACHE, the commission, for expansion of instructional role, which is what they're proposing. Then they have to go to SACS and get a level change from Level II, which is Bachelor's only, to Level III, which is Master's. We are objecting to that based on duplication issues, along with other institutions like A&M and Jacksonville State. We are working with some of the ACHE commissioners to educate them. There are 13 public institutions in this state and 12 of them offer Master's. The argument is we don't need another one. We will see how that goes. My experience in this is that it is very difficult to stop them.

Construction Projects

Madison Hall

The replacement is under design. We've had one design meeting with the architects. The existing building is going to be demolished in October. When that demolition starts, those two parking lots next to Shelby and behind Madison will be closed permanently because that's where the new building goes. The new building will be pushed up against the Greenway. There are 2 entrances, one from the circle and one from the greenway. Then there will be parking in front of the building, but chances are that a lot of those parking spots will be dedicated to visitors. So we are figuring out how to control the parking. The lots that will be closed will be replaced and we are trying to figure out where. Obviously, they won't be as close to Shelby or Madison as they are now. The number of spots

will be replaced, actually they are going up, because we are going to replace the 400, then have 100 in front of the Madison Hall replacement. The building should be finished some time in the spring 2016.

Swirl Building

Will be done this September.

Nursing Building

Is in 2 steps. The new wing should be completed some time this summer. The existing wing will be vacated and we will move everyone into the new wing. The old wing will be renovated and should be done the following summer. By the start of fall 2015, the whole Nursing complex will be completed.

Greenway, North of Holmes

Should be done this spring.

University Drive Entrance

Construction on that should start momentarily. It will be done some time this summer. There is also an entranceway on Holmes, coming from downtown. There will be 2 pillars that will have "UAH" on them, right around where you get to the Fitness Center on the left and the practice soccer field on the right.

University Center

In order to accommodate tearing down Madison Hall, the first movement is to move the Army from the 3rd floor of Madison to the University Center. We renovated the old bookstore space to accommodate that. They should move in August. They get out, other people spread around and we can tear the building down in October.

Wilson Hall

When the Charger Hospital moves over to the Nursing complex, then the 3rd floor of Wilson will be set up for the 2 clinics (faculty/staff clinic and student clinic), counseling, and disability services. That should be done some time in early fall.

South East Residence Hall

There is some landscaping going on and should be done this summer.

Roberts Hall

The Recital Hall is being renovated. We are putting in a new acoustics shell to help with the Music accreditation.

- Mitch Berbrier: What is happening with the 4th floor of Roberts Hall? Was that for Education, where they're moving?
- President Altenkirch: 3rd floor.

The 3rd floor of Roberts has been renovated to an extent, carpeting and painting, etc. The Department of Education is moving in there at the end of this semester. It's all ready to go, but they don't want to move in the middle of the semester.

Block Tuition

Transition to block tuition is in place. It was approved by the Executive Committee of the Board.

Our current tuition is dollars per credit hour from 1-12. 12 and up is a little bit less. UA already has a block from 12 to 15. Auburn has a block that starts at 12 and keeps going. UAB is strictly dollars per credit hour. Within a 3-year transition, we will be in block tuition, with a block between 12 and 18. Graduate students can do this movement in 1 year because the number of graduate students that take between 9 and 15 hours is small. So it looks like we would lose a whole bunch of revenue, but it's not true because there is no one there. But on the Undergraduate side, that isn't true. About 50% of the students take 12, 13 or 14 hours. There are some at 15 and 16. All of a sudden, if we drop down, we would lose a lot of revenue all at once. That's the reasoning for the transition. In order not to lose that revenue, we would have to raise the tuition from 1 to 12 hours about 12% and we don't want to do that. So we are going to raise it 3% from 1 to 12 this year, then 4% next year, then 4% the next. Graduate is 3%. The out of state tuition from 1 to 12 is going to go up to 1%. The reason is that over the years when out of state and in state has been increased the same percentage, the ratio of out of state to in state has declined because we are increasing the dollars more on out of state. The ratio has to be 2 by state law, and we've crept up to about 2.4, so we are trying to push it down. The way to push it down is not to raise it so much for out of state. So out of state will go up 1%, in state 3%.

Any questions?

- Michael Banish: So you're going to raise tuition and then all of a sudden you're going to have partial blocks?
- President Altenkirch: No. For in state graduate students, the tuition from 1 to 9 hours goes up 3%, for out of state it goes up 1%. Then that block is out in place, such that if you were to take 12 hours, it would be the same as saying you were taking 9 hours. That's all of a sudden for this fall. For the undergraduates, it goes up to 12, and then from 12 to 18 the slope of the line goes down. Then from 18 and up it goes back up. Then next year, from 1 to 12 it will go up 4%, but between 12 and 18 you are going to depress the slope again. The next year it's going to go up 4% from 1 to 12, and then between 12 and 18 there will be no slope.
- Deb Moriarity: So that whole parking lot at Shelby Center is permanently gone?
- President Altenkirch: Yes, because that is where the building will go.
- Deb Moriarity: So the building is going to essentially sit in that parking lot?
- President Altenkirch: That is correct.
- Deb Moriarity: So I already have students coming in late and missing quizzes because they can't get parked since those parking lots are absolutely full, and the parking garage rarely has parking spots. So how far away will parking be?
- President Altenkirch: We are looking in circles of 10-15 minutes.
- Deb Moriarity: So they could be at the Beville Center?
- President Altenkirch: Yes. We are looking at 2 different places for a replacement parking lot. I can't say where they are right now because we are looking to see if they are feasible, but they will be of the same size.
- Deb Moriarity: What about the big green lawn in front of our building?
- President Altenkirch: It's not flat.
- **Peter Slater:**
- President Altenkirch: The building that is being built, if you look east to west standing on the circle, there is an axis that goes through it on the Greenway. That building will be symmetrical with that axis, so it will stand a little bit behind the existing Madison Hall. In front of that building, there will be a parking lot that will be arced and some of that will go into Madison Hall's front lawn. The spaces between this building and Shelby, and through the other side of Madison, will remain green spaces and they are future building sites. The idea is to push parking out as much as possible.

- Peter Slater: It's a nontrivial problem to shift it because even though you can walk 10 minutes, many of our students leave from another hall to drive down and walk.
- Peggy Hays: You could make it a rule that cars can't be moved on campus and they must remain parked. Some universities do that.
- President Altenkirch: When we get closer to the design of this bldg., will begin talking about where to put the parking. We really don't have a footprint for the design yet.

➤ Provost Christine Curtis
I want to tell you about the 3 searches and where we are.

Dean of Nursing

There are 3 finalists. The interviews will be conducted the first and second weeks of April, right after spring break. They will be completed by the end of the second week. That is the plan.

Dean of Science

There are 4 finalists. Those interviews will be conducted the second and third weeks of April.

Dean of Honors

There are 3 finalists. The interviews are starting the second and third week of April, and hopefully will be finished by the end of the third week.

That leaves us the last week of April for any flexibility we might have to have for any of those candidates. We hope to have it all complete by the end of the third week, with decisions made and the offers out shortly after. Once it's nailed down, it will be on the web. You will be notified. All of the faculty in the College of Science are included in the interview process, and I'm sure all of the faculty in the College of Nursing are included in the interview process. I haven't seen the Honors schedule yet so I can't tell you very much about it.

New Searches

I wanted to also let you know that there will be 2 new searches starting shortly.

Office of Institutional Research Director

Debbie Stowers will be retiring at the end of this month. Mitch, would you nominate 3 people from the Senate and faculty for that committee, please? I haven't determined how many exactly will be on that committee.

Vice President of Student Affairs

As you recall, the HURON report recommended that we hire a Vice President of Student Affairs. We are getting to a time where the competition is so intense for excellent students that we need to have a strong enrollment management person who knows how to compete against many other strong competitors. So, we are looking for a Vice President of Student Affairs who will be over the areas of enrollment management, which includes admissions, and also student life. The Dean of Students will be reporting to the Vice President of Student Affairs, as well as the student life that occurs in the residence halls and at other events. It would also include career services. So, it will begin from the recruiting all the way through the student's graduation when they are ready to go out and seek employment. Career services will also have an internship so that the contact of the employer would be through career services. Mitch, would you please provide nominations of 3 individuals. There may be some that would like to be on one over the other, so keep the lists separate.

Faculty Handbook

Mitch and Wai are working with me on the Faculty Manual changes. We will soon be discussing how to get the changes very clearly shown. After it leaves my office, it goes to the System office for the Chancellor's approval. There are explicit terms that we have to clearly show every change that was made so we are working on that.

Questions?

- Phillip Bitzer: When are you going to announce the names for the Dean finalists?
- Provost Curtis: Shortly. Once the interviews are set up. We've already had one person step out so we want to get it finalized first.

- Lingze Duan: The tenure and promotion is normally made before March 15. Is this on schedule?
- President Altenkirch: The candidates were notified before March 15. We've written a Memo to go out announcing everything. I wanted to meet with University Review Board before I sent that out to tell them what the results were. It's sitting on my desk. We met with them earlier today. It should go out today or tomorrow.

Mitch Berbrier: Any volunteers for the committees yet? Let me know.

- Phillip Bitzer motions to approve the minutes of Meeting 545. Deb Moriarity seconds. All those in favor of approval? Ayes. No oppositions. Minutes are approved.

- Faculty Senate Executive Committee Report
Mitch Berbrier: So, the question with the Faculty Senate Executive Committee Report. I spent some time reading Robert's Rules. One of the questions I couldn't find the answer to is if we can accept these minutes or not accept these minutes. I wanted to do away with it altogether, but Rich Miller said every governing body has to accept the reports of their committees. Near as I can tell, what we can do is have the report formally mentioned in our meeting so people know it is there, but approving it is absurd, if you ask me, because 90% of the people weren't there and they aren't minutes, it is just a report. So all we need to do near as I can tell, since Robert's Rules says a "formal acceptance," is have somebody deliver the report of the Faculty Senate Executive Committee. So that's what we are going to do.

I hereby deliver the minutes of Faculty Senate Executive Committee. We don't have to approve it.

- President's Report, Mitch Berbrier:
 1. Wai and I met with Dr. Curtis soon after she arrived, and soon after the last Senate meeting, and we gave her a list of things to let her know what our priorities were here on campus. Number 1 was getting our staff assistant position funded permanently. She made no commitment to that, but in a subsequent email about something else she implied that she wanted to our staff assistant to do something next year. So I'm optimistic. Second thing was the Faculty Handbook. We've been waiting for it for a long time. She was right on top of it and she had all kinds of ideas about how we should have been doing the revisions. The main thing was tracking down a track changes version where we can clearly see the changes made, and the difference between the current Handbook and the proposed, new Handbook. There have been versions of that around, but they seem to have disappeared. Wai, please tell us where you're at with that.
 - Wai Mok: I converted the PDF version into a Microsoft Word version and I will just pull the old Handbook from the website and make it into plain text and then compare the new one.
 - Mitch Berbrier: Manually?

- Wai Mok: Inside Word. I will do it chapter by chapter. I have a meeting with Christine Curtis after spring break to show her how to do it.
- Mitch Berbrier: So we are trying to figure out the most efficient way to get that done.
- Ryan Weber: I think you can merge the two documents and then set track changes on it.
- Mitch Berbrier: Thank you.

2. We are working on a committee to explore the funding of the RCEU and Vice President of Research Vaughn's interest in including Research Staff and the resistance by some Academic Faculty to that. Ray Vaughn has noted an unusual split between the research and academic side of campus and he doesn't think it's healthy. So the committee blossomed from how we are going to address where the Research Staff ought to be included in the RCEU to a broader assessment of how these things are structured, Research Staff, Research Faculty, and Academic Faculty on other campuses. So we are putting together a committee of esteemed faculty members. We are working on a mandate or a mission statement for it. It will be an important committee. Dr. Curtis and Ray Vaughn and the President of the Faculty Senate will be the reporting targets for that report.

3. I called a special meeting on April 17 where we will have visits by Ray Pinner, Dee Childs, and David Berkowitz. I'm also working on another special meeting if we can squeeze it in. The GER Committee is finishing its recommendations and submitting them now or in the next month. I asked Andrea Word and Brent Wren, who are chairing the Committee, to speak to us about that. It's important to be explained to faculty. Will work on getting a Doodle up for that.

4. Phillip will be talking about elections. You may be approached or you may want to think about running for Faculty Senate President-Elect or Ombudsperson.

No other Officer reports.

➤ **Committee Chair Reports**

Governance and Operations Committee, Phillip Bitzer

There have been some issues with the elections. There are a couple of outstanding departments who are finishing up and that's why you haven't seen nominations yet. Like Mitch said, think about the Faculty Senate President-Elect and the Ombudsperson. Those nominations will be coming out. We still have the timeline is that we announce it by our last scheduled meeting, which is the 24th of April. So we will need to say something by that point.

Undergraduate Curriculum Committee, Deb Moriarity

We are continuing to get course approvals and program changes in.

Finance and Resources Committee, Charles Hickman

We had 69 applications for the RCEU program. Of those, 6 were from Research Staff so we didn't have a big flood. We had a committee meeting and set criteria to evaluate. We set a GPA cutoff of 3 points, so anything below 3 points. We are now in the process of ranking the remainder. In the proposal it said we needed to have that done by the 18th, but we didn't plan on the amount of applications. So now I have asked the committee to meet a deadline of getting it done next week. Speaker Series: We had President Altenkirch, as Interim Provost, agree to fund 8 and we have 9. So my plan is to send out a spreadsheet for the committee to rank those. My plan is to go to Curtis to see if they will fund the other one. Same thing with RCEU. Once we have them ranked, we need to see how much money we have. I have gotten commitments for funding from VPR Vaughn and President Altenkirch, as Interim Provost. The Space Grant Consortium funded 6 last year and will

fund an additional 3 this year. It seemed like the Chemistry Department had a bunch of applications. They've been self-funding in past due to some exclusive money. So once we get them ranked we will go and find out how many, and then will send out notifications.

Personnel Committee, Carolyn Sanders

We have been communicating via email. We recently met. The main focus of our discussion is the draft of a bill that is connected to the consideration for faculty and administrators who are looked at for possible tenure upon being hired. That Bill is undergoing a revision and we will hopefully have it on the floor for the next meeting.

Undergraduate Scholastic Affairs Committee, James Blackmon

We have exchanged some emails regarding pre-requisites validation issue brought up in Bill 374. We will have a short meeting after this and from that determine if we need to meet for more details.

Faculty and Student Development Committee, Fan Tseng

We have finished the committee report on the lecturer ladder. We will send it to you [Mitch Berbrier].

➤ Committee Selection

Two committee selections:

Earl Wells on Undergraduate Scholastic Affairs
Michael Banish on Personnel

Those in favor? Ayes. No oppositions.

➤ Faculty Senate Bill 373

Definition of Faculty Representation on University-level Committees (third reading)

Peter Slater motions to consider. Phillip Bitzer seconds.

At the second reading, the vote was 12 to 12 to 6. I cast the deciding vote in favor of moving it to third reading for more discussion. Open it up to comments, suggestions, and amendments.

- Nick Pogorelov: The way it reads now, it appears that we can submit only exactly the number of names required. Not to exceed three times.
- Phillip Bitzer: That doesn't say, "exact," it says, "not to exceed." If there are 3 positions on a committee, they can only ask for up to 9 names.

- Earl Wells: Is the Provost working under that assumption now when she asked for three names? So she will only pick one?
- Mitch Berbrier: She didn't specify. We don't have a rule for that now. She might put all three; she might put one or two.
- Earl Wells: Were we able to discuss this with her?
- Mitch Berbrier: No, this was originally rejected by President Altenkirch. By the time she got here this was already a process so I haven't discussed it with her.
- Earl Wells: It sounded like she had talked with him a little bit about the previous bill, and of course we got the feedback from the previous rejection.
- Mitch Berbrier: Right, and that was the result of meeting at the Executive Committee level where it was suggested that I speak with him and see why it was rejected and if we could get anything from him. Our decision at this point is that this is a compromise. Do we want to make that compromise or not?

- Earl Wells: Is the wording of this the same as the second reading?
- Mitch Berbrier: Yes, there were no amendments or modifications to the prior bill.
- Michael Banish: I brought up 3 changes to you. In the second *Whereas*, in the fourth *Whereas*, and in fifth *Whereas*, we add the “body of faculty at large.”
- Mitch Berbrier: So you want to make a motion to change that?
- Michael Banish: Motion to change “faculty” to “body of faculty” so that we delineate what is the elected positions rather than the expertise positions.
- Nick Jones: I don’t understand. Is there someone in the faculty who isn’t in the body of the faculty?
- Michael Banish: No, but there could be people in the faculty who aren’t representing the body of the faculty.
- Nick Jones: Who is in the faculty that’s not in the body of the faculty?
- Michael Banish: Someone who isn’t a Faculty Senator, who is going off on his own expertise and who doesn’t report to us as far as shared governance goes. The objective of this bill is that the Faculty Senate has some representation on some committee as opposed to someone else saying, “I appointed these faculty members and therefore you should all be happy.”
- Mitch Berbrier: Are you implying that when it says, “faculty at large,” that doesn’t apply to all of the faculty?
- Michael Banish: Yes.
- Mitch Berbrier: That applies only to Faculty Senate?
- Michael Banish: I’m not sure who it applies to. We need to talk about the fact that this is representative of all of the faculty. That’s my take on it.
- Letha Etzkorn: I think it already says that by saying “faculty at large.” If you want to add clarification, though, that’s fine.

Michael Banish motions to change the wording from “faculty” in the second *Whereas*, the fourth *Whereas*, and the fifth *Whereas* to “body of faculty.”

Call to question.

Ayes. No oppositions.

All those in favor of the motion? 1 Aye

All others opposed.

The Motion does not pass.

- Luciano Matzkin: If we select to just to give her 1 individual and she says no, what happens?
- Mitch Berbrier: Assuming this bill has passed?
- Luciano Matzkin: Yes.
- Mitch Berbrier: And she asks for 3?
- Luciano Matzkin: No, she doesn’t necessarily have to ask for 3. We just give her one.
- Mitch Berbrier: If she asks for one, then I’ll give her one. That’s what we wanted originally, though. That we could choose our own.
- Luciano Matzkin: You’re saying up to three we can give her, but if it’s just one position, one slot, we can just give her one.
- Letha Etzkorn: We can do that. The way that it’s stated, you can give her less.
- Mitch Berbrier: There seems to be some confusion.
- Nick Pogorelov: It’s clear. We will provide as many names as will be requested, and it cannot exceed three times as many available positions.

- Mitch Berbrier: If she asks for 3 names, she has to put at least 1. If she asks for 6 names, she has to put at least 2. She can ask for 5 and put 2, she can ask for 4 and put 2. She can ask for 3, 0r 2, and put 2. She cannot ask for 7 and put 2.
- Luciano Matzkin: If there are 2 positions for one committee, she will say, "I have 2 positions, you can give p to 6 names." But, you can only give 2. She's not telling you to give 2. If you want, you can just give her two names, but then if she rejects it, we don't know what will happen.
- Mitch Berbrier: She can ask for two, however many, but only up to 3 times the number of positions she wants.
- Peggy Hays: I think the question before the group is that if Dr. Curtis asks for 3, and then she gets opportunity to select who.
- Mitch Berbrier: Out of those three, yes.
- Peggy Hays: Is not the body here concerned with the fact that we want to select the person hat goes on the committee?
- Mitch Berbrier: That goes to the substance of it.
- Luciano Matzkin: It seems like if there is an opening in one slot in the committee, Dr. Curtis says, "We have one slot for committee X," you can give her up to 3. That's the way I read it.
- Nick Pogorelov: It's not written like that. It was initially my mistake.
- Phillip Bitzer: No. She makes a request. "The appointing administrator shall request a number not to exceed three."
- Letha Etzkorn: Just because she requests x number of people, this bill leaves us free to give who.
- Mitch Berbrier: No, it does not.
- Letha Etzkorn: But it does. It doesn't say that we have to give her as many as she asks for. They can request as many as they want, but if we really want one person on there, we can just hold our breath until we turn blue and give them one name.
- Mitch Berbrier: Then what's the point of saying this?
- Letha Etzkorn: What they were doing before was just picking arbitrary people from the faculty. This is eliminating their ability to do that and us still playing nice. It gives us the ability to stand our ground.
- James Blackmon: Maybe the interpretation that says when the Provost requests a slate, the number is not to exceed 3,the implication is that the slate is 3.
- Mitch Berbrier: The slate is three times the appointed positions.
- James Blackmon: So maybe there's a way to clarify that a little bit because if they ask for a slate, we can't give them four, but the implication is that we are going to give them three. What the Faculty Senate wants to do is only provide one. So looking at that to me, it's a little bit unclear depending on whose shoes you're wearing, how to interpret that.
- Letha Etzkorn: I think it gives us freedom.
- James Blackmon: I think it does, but we could interpret it as the implication being that we can't give 4, but you should give a slate, but one individual isn't necessarily considered a slate of candidates.
- Charles Hickman: The way I interpret the language is that the Provost shall ask us for nominees, and the number of nominees shall not exceed three times the number of spaces on the committee that she is trying to fill. That means that if she has one, she can as us for one, two, or three names. If she has 3, she can ask us for 3 to 9 names.
- Mitch Berbrier: And we agree with this interpretation, and we can just give her one, two, or three, if she asks for three.
- Charles Hickman: Well, if she asks for three.
- Mitch Berbrier: We are trying to play nice.

- Letha Etzkorn: Yeah, it doesn't say you can't give 2 names, it just says she cant ask for fewer. That gives us complete freedom.
- Charles Hickman: But I think that was the original rejection by President Altenkirch. He's not going to say, "Give me a name," and the just accept that name.
- Mitch Berbrier: Right.
- Nick Pogorelov: Then it probably should be written, "the administrator shall request and the Faculty Senate shall provide."
- Mitch Berbrier: That's a good idea.
- James Swain: The text in the last clause seems to imply that we will provide a slate from which the appointing administrator will select. So if we give a slate of 1 from which they select, it isn't in the spirit of text.
- Mitch Berbrier: This seems to be the common pattern of administrators. They ask for a list of names, and then pick from that list of names. So this isn't unique to Altenkirch. That doesn't mean that we need to go along with it; just because it's the norm doesn't mean it's good. I'm just saying that seems to be the expectation.
- Nick jones: I would like to propose an amendment. As a second resolution, "And be it further resolved that the faculty senate shall satisfy that request with a number of suggestions between 1 and the number asked for." Something like that. "That the Faculty Senate, in response to that request, will provide a number of names between one name, and the number of names requested by the administrator."
- Letha Etzkorn: If we make it that explicit, it will get turned down again.
- Nick Jones: I like it. It's good faith. Otherwise, why pass it.
- Mitch Berbrier: So then it should say, "And be it further resolved that—
- Nick Jones: "the Faculty Senate shall satisfy that request with a slate of names between one ~~faculty member~~ nominee and the number of nominees requested."
- Mitch Berbrier: Comments?
- Peter Slater: There's a major problem between one and however many. If she has a committee that requires 3 nominees, and so she asks for a slate of nine, she just told us she needs three, but we are only going to give her one. What is the goal here? Is our objective to be able to have the Faculty Senate completely determine who gets on the committee, or is it indeed to supply three names if she asks for one and she gets the choice.
- Mitch Berbrier: I think that was the intent of the bill. What the goal of the Faculty Senate is to determine by the vote. Governance and Operations, do you agree?
- Phillip Bitzer: Yes. So the historical context I think we've all alluded to, but originally it was: There are two positions on some committee, we are going to give the administrator two names. Altenkirch said no. So this is the compromise. You want two, then ask for no more than six. So we limit the pool of nominees. That's what the point of this bill is.
- Deb Moriarity: One of the things to keep in mind is that when they are putting these committees together, sometimes there are specific requirements that they have to meet, diversity and representation by various disciplines or other areas, that we may not be aware of. When they ask for a slate of three, or six, or nine, that is giving them some latitude to say, "I needed this many women on this and you gave me this many women, so I can take them." So if we write it this way, and say, well we might only give you one, it sounds like we are being deliberately antagonistic to the exact thing we are trying to accomplish. We are trying to say that want to have representation, so here are some people. So at least we will get some representation, and we will give you the latitude to put the committee together of whoever you might need, whatever the criteria is to do that.
- Mitch Berbrier: I think that's good advice and I think in a nutshell that summarizes the debate we had four weeks ago, which was are we going to compromise that way or are we going to say we want our representation and we have a right to choose.

- Charles Hickman: If we make that amendment, we are back to where we started. We are changing it back the way it was when Altenkirch said no. So we really haven't moved forward with it. We are in exactly the same place. I don't see a reason for the resolution.
- Nick Jones: I would like to vote on it.
- Michael Banish: I disagree a little with what Deb says. Historically in the past, they said this committee needs someone from this college, and therefore we have faculty representation. But if I come in as a representative of the College of Engineering, it's not that I am representing the Faculty Senate, whether I be on Faculty Senate or not. For the committees that we are talking about here, these are University-wide committees. If they can't find out a way to come up with diversity besides what we can do, then that's a pretty poor excuse.
- Mitch Berbrier: So are you saying they should find diversity in their own way and not come to the Faculty Senate?
- Peter Slater: It explicitly says that they can.
- Michael Banish: They're kind of using that, that we have to appoint these other faculty outside of that because they can't figure out how to be diverse enough. I find that kind of strange. As far as in here. They can appoint other people for diversity, or whatever.
- Letha Etzkorn: I think the bill as it stands gives us something. It gives us the ability some control to pick the faculty whereas before they were picking people arbitrarily from the faculty. I like it further because there is enough ambiguity in it for us to take advantage. As it stands, it gives us some advantages. If we add the amendment, they will just turn it down and we are back to where we were before.
- Michael Banish seconds the motion to consider the amendment.

All those in favor of the amendment made by Nick Jones? [None in favor]

All opposed? [All opposed]

The motion for the amendment does not pass.

- Mitch Berbrier: So we still have the bill.
- Peter Slater: I suggest Pogorelov's amendment.
- Nick Pogorelov: For clarification, it can be added that the administrator shall request and the Faculty Senate shall provide a slate of faculty nominees. This obliges us to actually satisfy the administrator's request. Otherwise, as it is written, it just says they will request three and we will provide one. Because we are not required to satisfy the requests. So in principle, I propose we add these few words.

Fourth paragraph, "Be it further resolved, the administrator shall request and the Faculty Senate shall provide a slate of faculty nominees."

Phillip Bitzer seconds the motion.

- Deb Moriarity: I'm just worried when you took that out, "request from the Faculty Senate," it doesn't now say who they shall request from. I think that should go back.
- Mitch Berbrier: Dr. Pogorelov, do you accept the minor modification to your modification? "Be it further resolved, the administrator shall request from the Faculty Senate, and the Faculty Senate shall provide, a slate of faculty nominees..."
- Nick Pogorelov: Yes.
- Letha Etzkorn: I liked it better before. It's taking out the ambiguity. It implies to me that we actually have to give the number they want, whereas before we had enough ambiguity that we had wiggle room.

- Joe Taylor: If the 12 who voted “No” last time, are voting “No” in protest to making a compromise, if this gets a majority “No” vote now, does it go back to the administration so they are made aware that we rejected it or does it die in the Senate?
- Mitch Berbrier: Dr. Sitaraman was here last time and voted against the bill and, as I recall, suggested that if we reject it then we send it back to them with information on the principles for why we rejected it and what our discussions were. It will all be in the minutes. I don’t think that there is any kind of rule that we have to forward a non-passed bill to the administration. It just won’t become a resolution. So there is no rule that says we have to. There are also options for further bills down the line.
- Peter Slater: The name that we provide doesn’t necessarily have to be somebody from the Faculty Senate, correct?
- Phillip Bitzer: Correct.

- James Blackmon: I’m still troubled by the Faculty Senate providing a slate from which the administrator can select if we only give them one. Since that was rejected, it seems like this will be rejected.
- Charles Hickman: I think that, and the way I read this, they will request three for one, and we give them up to three.

- Letha Etzkorn: It takes out the ambiguity that I like. This version of it puts it back that we have to provide the number that they want, whereas before it didn’t say that.
- Earl Wells: Does it though? It seems like it still says that. “A slate of faculty nominees whose number is not to exceed three times.” So couldn’t we still provide less?
- Mitch Berbrier: Yes, that’s the ambiguity that Letha’s talking about.
- Letha Etzkorn: I liked it before because it had more ambiguity.
- Nick Pogorelov: I have a question now. The way it’s written now, it still allows us an option to provide only one. So to remain in the spirit of the proposed document, we should probably keep it the way it was. “Request from the Faculty Senate a slate of faculty nominees whose number is not to exceed three names and the Faculty Senate will satisfy this request.” So removing the option of one or three.
- Mitch Berbrier: We still have to vote on the previous amendment that you proposed. Then you can make another amendment if you would like.

Call to question by Michael Banish.

Vote on amendment?

The motion to amend passes by majority vote.

Call to question voting on the bill as it is.

All those in favor? Ayes.

1 objection.

- Nick Pogorelov: It makes no sense because if it’s good faith, then this new amendment doesn’t change anything, if we really want to provide three, or exactly what we were requested to provide.
- Mitch Berbrier: So we don’t have unanimous agreement to call to question, and, therefore, this will move over to the next meeting.

➤ Charles Hickman motions to adjourn. Deb Moriarity seconds the motion. Ayes carried the motion.

Faculty Senate Meeting #546 adjourned
March 20, 2014, 2:15 P.M.