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MINUTES OF MEETING #547, 24 APRIL 2014  
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**Present:** *Wai Mok, Charles Hickman, Chris Allport, Fan Tseng, Pavica Sheldon, Derrick Smith, Ryan Weber, Joe Taylor, Linda Maier, Christine Sears, Carolyn Sanders, Deborah Heikes, Anne Marie Choup, Eric Seemann, Bhavani Sitaraman, Mitch Berbrier, R. Michael Banish, B. Earl Wells, James Swain, James Blackmon, Jeff Evans, Ellise Adams, Marlana Primeau, Phillip Bitzer, Luciano Matzkin, Debra Moriarity, Letha Etzkorn, Richard Miller, Lingze Duan, Seyed Sadeghi*

**Absent with proxy:** *Peggy Hays*

**Absent without proxy:** *Dan Sherman, Keith Jones, Nick Jones, Ying-Cheng Lin, Junpeng Guo, Kader Frendi, Kristen Herrin, Anna Benton, Carmen Scholz, James Baird, Peter Slater, Craig Cowan, Leonard Choup, Nikolai Pogorelov*

**Guests:** *President Robert Altenkirch, Provost Christine Curtis*

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

### **Athens State/ACHE**

I mentioned what Athens State is attempting to do. They've requested an Instructional level change at the Alabama Commission on Higher Education. Right now, they are authorized to award Bachelor's degrees. They've put in a request to change the level of instruction to Master's degrees. Almost every institution has objected to that, some more visibly than others. They don't have the infrastructure for that. If you look at the SACS region, of the 11 states, we are number 3 of state institutions that offer graduate degrees. We are number 2 of those institutions that offer bachelor's degrees. Just from a logic point of view, there's no need to add another one for offering graduate degrees. There was a meeting of the ACHE instructional affairs committee a few weeks ago. I went, President of Athens State was there, and we both spoke. The committee had 5 members. They could have said they will pass it on to the commission as a whole, either recommended or not recommended. They voted 3-2 not to recommend a level change, and directed the ACHE staff to do some background work on it to develop a staff recommendation to the Commission. We are working now with the ACHE staff. Strategically, we will wind up proposing that they be allowed not a level change but one on an exceptional basis. If you read the ACHE rules, there is a rule that says the institution can offer a higher level degree in a single discipline. The first degree they want to propose is a Masters in Religious Studies, which is sort of their heritage. There is no state institution that offers this. We will wind up saying we are okay with that but not a level change.

- Mitch Berbrier: Is that surprising that they voted 2-3?

- President Altenkirch: Not completely surprising. There was a lot of politicking in the background. There would have been another “no” vote on the committee, but that individual was out of the country.
- Eric Seemann: Is this Master’s degree in Religious Studies a foot in the door technique for the future?
- President Altenkirch: Of course, but you have to give and take a little. IF we try to block them completely, we might lose that vote. The ACHE staff knows we would prefer to block them completely; so would Alabama A&M and Jacksonville State. So would UNA, except they won’t say anything because they offer an MBA and specialist degree on the Athens State campus. Alabama A&M president wrote a letter of objection. They’ll keep me posted.

### **Construction Projects**

We are building an entranceway on University Drive and on Holmes.

The second stage of the Greenway should be finished soon.

We are in the design process for Madison Hall, which will be torn down and the new building will be built on that parking lot backing up to Greenway.

We are working right now on identifying somewhere to build additional parking to accommodate the loss of that parking. We aren’t there yet. We are looking at various locations and putting the center of those locations within 10-minute walking circles to see how fast you can get to where you need to go. We are in the process of doing that.

We have had 2 design sessions on this, and the third one will settle the preliminary design. We have talked to all of the people who would inhabit the building, and now the architects are taking that programming and coming up with the architectural design.

- Deb Moriarity: There was a request for the pre-health advising offices to be there. Are they still on the program list?
- President Altenkirch: I’m not sure. We have a programming meeting this afternoon.

The Greenway is being extended north of Holmes and it will come all the way out to Roberts. That’s one of the entrance columns on Homes, if you’re coming from downtown. We are getting renderings right now on what the lettering will look like on the column. It should be the same lettering as is on the Sparkman entranceway, but no logo so that it’s timeless.

On University Drive, as you’re facing University Place School, there is the same architecture as Sparkman, so it will be ripped up—on the other side of the street. At some point we will have to deal with the poles on University drive, but the idea was to go ahead and build it and get the name out there and deal with the poles later because it’s a long term process.

### **Signage Project**

My understanding is that the history of signage on this campus is one of starts and stops. Recently, this company, Corbin Design in Michigan, has been retained to develop a way-finding system, to develop architectural designs of signs, and then interface with whoever would actually manufacturer the signs, because they don’t manufacture signs. They’ve done a lot of higher education work. They did the sign designs for Purdue and Northern Michigan (I picked two at random). They also have very nice documentation so that if you want to change the sign, there are standards of documentation on how to do that, and they have documents that explain why the signs are like they are, etc. This is an exterior project, so they are doing the way-finding outside of the buildings, to get to the buildings. Then, at some point, we may, if everything works well, engage them to do interior way-finding. We can get a little bit of a break cost-wise if we engage them to do

the interior way-finding. This project is about \$90,000. It looks to me like their track record will follow through with this and we will get something out of it. We haven't been able to do that in the past.

### **Tuition**

The tuition level has been set. We have talked a number of times about transitioning to block tuition for undergraduates between 12 and 18 hours. We got the Executive Committee of the Board to approve that, just prior to the Board meeting. Pre-registration was going to happen right after the Board meeting so that gave us time to market a little bit. The 2014-2015 tuition levels have been posted. Our sister institutions don't have that because their tuition won't be approved until the June meeting.

### **Enhance Student Enrollment**

Then there were several things that we've done other than block tuition to enhance our ability to hook students. Many of you were involved in this: we've broadened the AP score tables, so that we are now giving credit for more AP scores. We've changed the credit hour limit on tuition from 16 to 18 hours. Once one gets to 12 hours, the scholarship will take all the way to 18 hours. We are going to evaluate GPA and ACT later in the process, instead of evaluating GPA only at the end of the junior year. We will take it after the senior year, and the same thing with the ACT—right up until the last ACT date. This summer school program will count the summer before the first fall of freshmen year with the fall semester so that it's one block. So when one takes summer school and pays for it, then come in the fall and take whatever courses, will get a rebate from what was paid in the summer. The further we get into this block tuition, the more impact it will have. So when you look at the tuition table for 2014-15, you will find the dollar per credit hour from 1 to 12 is fixed, and the dollar per credit hour from 12-18 is fixed but it's less. Next year it will be less again, and the next year, the tuition from 12-18 will be flat. That's all in place. Can go to this link:

<http://www.uah.edu/admissions/new-for-2014>

### **Vice President for Student Affairs**

We have established a committee to do a search and screening for this position. Christine has drafted up the responsibilities of the position. I'm in the process of setting up the initial meeting with the charge of the committee. Christine will chair it. It turns out that this position or this organizational structure has to be approved by the Board of Trustees. The next meeting is June 14, so we will request formal approval there. I'm requesting that we be allowed to go ahead and advertise ahead of time so we can get moving. I'm trying to set up a meeting next week. We have the job responsibilities, the committee will need to draft the ad, and then we will go from there.

### **Questions?**

- Michael Banish: What was the tuition increase that they approved? How much total dollars is that going to be?
- President Altenkirch: From 1 to 12, for in state undergraduates, it was 3%, then, because the slope between 12 and 18 goes down, it depends upon where you are on that line. 15 credit hours in the Fall of 2014 is less than 15 credit hours in the Fall of 2013; at 12 credit hours it's more. So the percentages are different once you hit that 12 point. Next year, the plan is to increase 3% again from 1 to 12 and then drop that slope again. And then the next year increase at 4% from 1 to 12.
- Michael Banish: So how much additional revenue will we get next year?
- President Altenkirch: If you were to have the same distribution of students that you had in the Fall 2013, I believe it's about \$200,000.
- Michael Banish: So it's basically manageable?

- President Altenkirch: Well, no, because if you were to raise tuition all along the credit hour distribution 3%, you would generate more revenue. So we are giving up a little bit of revenue on the front end in order to make this transition. But hopefully it will (1) help graduation rate, and (2) be more attractive to the students so we can get more students.
- Michael Banish: I was wondering if it's truly revenue neutral at this point.
- President Altenkirch: Yes. At this point, if you had that same class, you aren't going to lose money. If you can push the students to go from 12 to 15 we would make more money. Right now we have about 45% of students take 12, 13, or 14 hours.

**Commencement** is May 4, 2014.

➤ Provost Curtis

### **SACS COC Reaffirmation**

Really got started on in the last couple of weeks. COC means "Commission on Colleges," and SACS has asked us to start referring to them in writing, and verbally, as SACS COC.

Where are we?

We have a faculty chair, Sandra Carpenter, and a faculty vice chair, Al Wilhite.

Brent Wren is our institutional liaison with the SACS COC. I have asked all the deans for nominations, I've asked all the directors for nominations, and I've asked Mitch for nominations, and I'll ask you: If any of you would like to serve on any of the committees, please let Mitch know. We need a full complement of the institution to really do a good job on this. This won't last for years because we have a short timeline. We anticipate, based on this year's calendar for Alabama and UAB, that our report will be due September 2015. That means that this coming academic year 2014-2015, for 2 semesters, we will be working hard to get that report done. Over the summer, there are all sorts of clerical and editing things that need to be done before it is sent in. The vast majority of the work done by the faculty and the staff will be done during the next academic year. If you don't want to serve on the committee, you aren't off the hook, because we will sit around the table and ask who really knows about this particular subject area, and if they are not in the room, we will go get them so that we can really be the best that we can be in each area. We hope for a lot of participation. We will keep you updated on the process.

### **Committees**

We hope to ask people to serve on committees next week. We need nominations soon. If anyone wants to volunteer, please do so.

### **Quality Enhancement Program**

We will have a request for pre-proposals for the Quality Enhancement Program (QEP) coming out shortly. One of the requirements that SACS COC has is that everyone participates in the QEP. I have been told that the Student Success Center came out of your original QEP last time. We are looking for programs that will enhance student learning or the environment for student learning. We need ideas. So we are seeking pre-proposals. 2 pages, clear format, and 4 key things that need to be answered. We suggest working in teams, but if you would like to work by yourself that is your preference. They will be due June 2. We will be looking at them with the leadership team that consists of the 4 people I've mentioned. We will be soliciting full proposals. All of that is in the RFP that will be coming out very shortly.

On June 2<sup>nd</sup>, 5 of us are going to Atlanta to SACS COC for a briefing. President Altenkirch, myself, Brent Wren, Ray Pinner, and Sandra Carpenter. We should know a lot more after that.

## **Faculty Handbook**

When I received the track changes from Wai, I sent them out to all of the other entities that are involved in the faculty manual, such as HR, Research, Library, etc. They're supposed to get their input back to me in May. Research told me that their chapter is way out of date. There has been so much change in terms of the laws and regulations in the last decade or so that they need to do a fair amount of updating just to get it up to the current level. Everything will come back to you to review. They're probably going to take longer than many because it is a substantial change just to get it to the current level.

## **First-year Learning Experience Course**

We asked a number of faculty here that are on the task force as well as the staff to work together to try to analyze this 1 credit hour course to make it more academically robust. My understanding is that they have met and will be continuing to meet to evaluate the course syllabus, which means the course content, the format, the number of students in it last year (I think it was around 50). Everyone is in agreement that there were way too many in a single class. They will be beginning their report in a couple of weeks and we look forward to having a much more academically rigorous program, as well as one that is going to help launch our students.

## **Searches**

Nursing: We are at the point where I am making the final phone calls before making an offer.

Science: Committee is working on preferences at this point. All of the candidates have come through.

Honors: We now have recommendations from the committee and I'm setting up interviews. As soon as that is set up, we will send information out to everyone.

### ➤ Faculty Senate Meeting 546 Minutes

Michael Banish motions to approve the minutes. Phillip Bitzer seconds.

*Ayes carried motion. No oppositions.*

### ➤ Officer Reports

President's Report, Mitch Berbrier:

1. For the election of next year's committee chairs, this applies to those on Faculty Senate next year, as well, the current committee chairs will be in charge of orchestrating that for their committees. Current committee chairs are working with the incoming members of the committee to elect new chairs for next year.
2. Tomorrow is our final meeting. It is a Special Meeting. For the first hour Andrea Word and Brent Wren will be explaining proposed changes to the GER structure—how it's organized and how it works. Then, if we don't finish our 3 bills today, we will discuss those from 11:00am to 12:00 noon.
3. SACS. Provost Curtis went over most of that in detail. I will send an email this afternoon requesting your volunteers. Otherwise, you will be assigned. The areas for the committees are: Educational Programs, Administration, Institutional Effectiveness, Facilities, Faculty, Financial Resources, Learning Resources, Student Affairs and Services, QEP.

Ombudsperson's Report, Deborah Heikes:

For those of you who are tenured or tenure-earning, you received a survey from me Wednesday. I would ask you first to please fill it out if you haven't. It is something that the Provost and I have

worked on to try to find areas that administration can make our lives perhaps better. If you go back to your departments and encourage people to fill it out, it would be greatly appreciated.

- Mitch: I suggest everyone just send email to your departments.

No other Officer reports.

➤ Committee Chair Reports

Governance and Operations Committee, Phillip Bitzer

Should have gotten email from me this morning for polls for officer elections.

Finance and Resources Committee, Charles Hickman

You got an email announcing the awardees of proposals that were funded for the Distinguished Speakers program. Those people who submitted proposals for the RCEU, there have been some glitches in that particular system. We are still trying to finalize that. I have sent out emails to the majority of the awardees and the ones who were not funded. We are still working on details regarding funding prior to sending out the actual paperwork that people need to fill out to participate in the program. So tomorrow I will start trying to nail that down.

- Richard Miller: My understanding from some of the faculty in COS is that decisions have not been made on the internal funding programs, IIDRs, after a number of months. Do you know what the status of that is?
- Wai Mok: I'm on the review committee. We have one more meeting to go and then we will finalize.
- Richard Miller: Some people rely on those for summer salary.
- When is the meeting?
- Wai Mok: We are still trying to schedule it.

Faculty and Student Development Committee, Fan Tseng

Mitch sent out the report from this committee to everyone about the Lecturer Ladder. The deadline for comments was yesterday.

- Mitch Berbrier: It was sent out a week ago. Only received comments from Rich.

Undergraduate Curriculum Committee, Deb Moriarity

We've had a pretty steady stream of course approvals and program changes. It's kind of slowed down now. We are going to put together a final list of all the new courses that have been approved .

- Mitch Berbrier: Has everything been finished and finalized?
- Deb Moriarity: Everything that we have so far has been acted on.
- Richard Miller: Do those approvals or changes appear in the minutes for others to see?
- Deb Moriarity: I don't think they have but that's why we are putting together a report to submit. We were waiting because they were still trickling in, but now the deadline has passed for the catalog.
- Bhavani Sitaraman: Is this true of things that have been sent back for clarification?
- Deb Moriarity: Yes.
- Michael Banish: Who follows up to see that Banner has really implemented what you have done?
- Deb Moriarity: Hopefully the departments because the copy of the signed forms goes back to departments that says they have been approved. I know that in some cases, for some of our courses, it has taken a while for Janet to put them in. It really is up to the department to check.
- Michael Banish: There needs to be some vehicle for follow up.



- Mitch Berbrier: It's supposed to happen. The department chair is basically in charge of that because it originates with the department chair.
- Deb Moriarity: Because a big bunch has come through right at a very busy time of the year in the registrar's office, it doesn't mean that the day that you get the paper back it will be there in Banner. It's okay to keep asking.
- Mitch Berbrier: Well one thing that can happen is that the paperwork doesn't come back to the department chair until it goes through the registrar.
- Michael Banish: So the committee does not actually check to see that things have been implemented?
- Deb Moriarity: No, that's not our charge.

Undergraduate Scholastic Affairs Committee, James Blackmon

The committee voted on and considered the issue of the pre-requisites. Should our findings be called a recommendation or an observation?

- Mitch Berbrier: A bill came through the Faculty Senate Executive Committee asking for some kind of process in which people could not register without the proper pre-requisites. There is such a process; it just doesn't always work properly. So it went to the Undergraduate Scholastic Affairs Committee.
- James Blackmon: Percentage wise, based on credit hours, it's not a problem. There's a fraction of that that slips through the cracks.

No other Committee Chair reports.

➤ Faculty Senate Bill 373

Christine Sears motions to continue consideration. Seconded by Letha Etzkorn.

We have seen this bill before. I asked if we could have any amendments sent in prior to our meeting. I received one amendment from Dr. Sitaraman. It refers to the operational part of the bill.

*Current Bill language: "NOW THEREFORE BE IT RESOLVED that when university-level ad-hoc committees are initiated by the administration concerning issues of university governance (e.g., hiring committees), the appointing administrator shall request from the Faculty Senate, and the Faculty Senate shall provide, a slate of faculty nominees whose number is not to exceed three times the number of appointment positions, from which the appointing administrator shall select to represent the faculty..."*

*Proposed new language: "NOW THEREFORE BE IT RESOLVED that when university-level ad-hoc committees are initiated by the administration concerning issues of university governance (e.g., hiring committees), the appointing administrator shall now request from the Faculty Senate the number of desired representatives, and the Faculty Senate shall provide a list of representatives chosen from the Faculty Senate or the faculty body at large.*

*Further be it resolved that if the appointing administrator objects to the list provided by the Faculty Senate, the Faculty Senate will provide an alternative list of representatives, and the process of negotiation continue until a consensus is achieved."*

Eric Seemann motions for discussion of amendment. Charles Hickman seconds.

Bhavani Sitaraman: Brief rationale for why I came up with this: in the previous meeting when we had the 12:12 vote, it seems like we get stuck on the fundamental issue, which is, "should we be giving a slate of nominees for someone else to pick from for our representative, or should we be the

ones picking the representative.” We keep coming back to the pragmatics of what will be accepted by the higher administration, and what are we going to concede or compromise on this issue. I think it comes down to how you define shared governance on some issue. There’s not a universal, single definition. It’s a general principle, but if you think about the working process on academic tenure promotions, shared governance is really giving deference to faculty views. We are the experts inside, and if the administration wants to counter our decision, they have to make a good case. On some other issues, the administration has veto power. This idea in the university is that there are things that administrators are experts in and there are things that faculty are experts in, and when possible, we meet on it and sort of understand the context and defer to each other’s expertise. In the case of sending representation, I think it’s a fundamental definition of representation that you are choosing someone to represent you, even if administration does not like the people who we have suggested. The definition of shared governance is “we as partners on some consensus,” not “we defer.” So you get out of the subordinate view of shared governance and you can have a more consensual approach to shared governance. It becomes a process where we aren’t trying to fight or say no, but as adults we go back and find out what the rationale is (there should be some reasons for objecting to representation), and then we try to come up with a consensus. I think it gives faculty equal voice in deciding their representation. And it’s a compromise. This is the compromise I will go in rather than the passive, saying, “here is a slate of nominees—take who you want.” That, to me, defeats the purpose of representation.

- Richard Miller: I think on this Bhavani and I are of similar minds. I would like to read something. I really appreciate your amendment. What I’m about to read isn’t a critique of that, although, I also have the same issue with the second part of your amendment for reasons that you’ll see.

“With all respect to my friends and colleagues who have drafted this bill with good intentions, I believe it must be rejected, even with the amendment. Let me explain: Last year the original bill we submitted simply reiterated the concept of “faculty representation” yet was ultimately rejected by the administration. It presented nothing new other than to reemphasize the existing notion of faculty representation as defined in the Faculty Handbook and the Senate By-laws, both of which have been approved by the University and the Board of Trustees. In essence it said that “faculty representation” is derived from this body. Period.

The purpose of that bill was not to be combative or confrontational, but merely to reestablish and strengthen our role as problem solvers, academic leaders, and an official component of University governance since a strong and dynamic Faculty Senate should in principle serve the University at all levels.

The previous bill did NOT preclude non-Senate faculty from serving on Committees, and I would personally be opposed to any bill that did. It simply said that they are not “faculty representatives.” Let me be clear: a representative on a committee who happens to be a faculty member is NOT the same as a “faculty representative.” The latter are elected members of the faculty (or designated by the elected members), are required to act in the best interest of the faculty as a whole, and are responsible to the Senate for reporting and oversight. In contrast, committee reps who simply happen to be faculty have none of those formal commitments and, while their intentions may be good, they act as individuals with no mandate to serve the faculty. Committees without Senate-designated representatives, perhaps even a majority, do NOT have faculty representation.

This is not a small point, as Bhavani said. It gets to the essence of shared governance and the Senate as a representative body. If the Senate, and specifically the Senate President, determine that a particular individual or individuals are the best representatives for a particular committee then those people must be our voice. If there are well-defined non-personality driven conflicts they can subsequently be resolved simply with a



description of the issue and a request to the Senate President, but this should be rare and very well-motivated.

The selection from a list also undermines our representation. It is the obligation of you, the Senators—and in particular Senate leadership (past, present, and future)—to enhance the governance model in an effort to serve faculty. I apologize if I sound dramatic but we do a disservice to the University and our colleagues if we pass this bill as it stands, and perhaps even with this amendment, if we devolve into 300 separate voices. The constructive vision of governance, and the role of the Faculty Senate, must be paramount. It is one of our few official avenues for input into University operations and policy.

Personally, if I were Parliamentarian I would argue that this bill is out of order since it contradicts our mandate and our bylaws: The Senate is not empowered to give away its obligations to shared governance, and that's what this bill does. Let me read really quickly from section of one of our operating documents, Section 6.2 of the Faculty Handbook. *Senators are the [the word is "the" not "a"] voice of the faculty. The Faculty Senate is the permanent body representing the faculty for the formulation of university policy and procedures etc.*

I realize I speak a lot. Most of that is designed to serve my colleagues and the University and hopefully most of the time it's constructive and beneficial. It has often come at a price, both professional and personal, but that's the occasional cost of leading. I ask you to lead on this topic as well. While seemingly mundane and trivial, this is not. It gets to the heart of what this body can and should be. The best universities in the world have strong, dynamic faculty senates. I speak out now and hope the senate leadership, and you, does as well, because in terms of shared governance nothing in my 9 years on this Senate has been more fundamental or important. If passed, in either form, I see little reason frankly for the Senate to pretend it represents faculty in anything but name, or that it has an active role in shared governance and would therefore, reluctantly, recommend our time is better spent on other University activities.

As I've said before, I am a big believer in compromise, but that applies to the development of policy and solutions to problem. Compromise is often the right solution, even if it might not be the best solution. However, THIS is not an issue of policy; it is an issue of our mandate, of the Senate's approved role at the University. Here the compromise solution, which is this bill—done in good faith—is the wrong solution, and I encourage us to vote against it because it dilutes our role in shared governance.

- Bhavani Sitaraman: I would like for the discussion on the amendment to continue. This is almost the middle of the road between two extremes. So people who voted, obviously have something to say about it, and we need them talking about this. I'm not very strong about my own amendment, but I'm getting tired of the impasse. I would have voted against the original. This is an attempt to go for a stronger statement. I should have added a sentence that says, "This should be very rare." Ideally, this isn't the routine process for selecting representatives.
- Joe Taylor: If we vote against it, who sees it? If we do agree, and it's rejected, is it known or does it just go away?
- Richard Miller: I know Mitch has spent some time talking to the President about this and that ended up being this bill. I think the argument about why our choices are important in part of this shared governance simply needs to be repeatedly made to the administration. The original bill, and even with this bill, doesn't preclude the administration from putting you on a committee because of your expertise or because you're a nice guy. What it is saying is that, if you aren't a member of the Senate, having you on that committee is not faculty representation. You happen to be a committee member that is a faculty member. To me it

seems simple. What are the ramifications if we rejected this, like the original bill, I don't know.

- Mitch Berbrier: If we don't pass it, we can, as Bhavani suggested last time, send them a letter explaining what happened. If we do pass something and they do reject it again, we can still make that argument again.
- Joe Taylor: Will they know why?
- Richard Miller: I think it's a communication problem. When we say "faculty representation," we are talking about someone designated from this body, but that doesn't mean you can't have a faculty representative on the committee.
- Mitch Berbrier: The question is, "will we communicate all of that to the administration?" In this particular case (there are some bills that might just be for us—inside), since the President has been involved and has seen a prior version to the bill, he will want to know what happened to this, so it will be explained to him. To the broader question, "is there a mechanism by which we explain bills that we pass or don't pass to the administration on a regular basis," there isn't. That might not be a bad idea. If we are going to send them a bill, explain some of the facts.
- Bhavani Sitaraman: In the future, one of the things we suffer from, and maybe administration does too, is lack of continuity. When we have different senate administration, the personality of the senate or the president takes a certain approach, but it's all informal. One of things, I think, that would be good for the senate to do is to create some mechanisms other than the by-laws for record keeping that creates some history. So future senates can ask what happened.
- Mitch Berbrier: Those things are out there.
- Bhavani Sitarman: I think it's important to distinguish a bill that is cosmetic from a bill that is shared governance or something.
  
- Phillip Bitzer: While I respect the Shared Governance argument, if this causes a rift, and the President says, "fine, I'll just ask for one person from you and I'll go pick 10 faculty representatives (faculty representatives that are faculty but aren't "faculty representatives") to get around it.
- Richard Miller: I thought about that. And there's nothing. My comments are not meant to be confrontational, they're not designed to cause a riff. It's more about communicating the needs and desires of this body. Could that happen? Yes. But then there's an optics problem, which means that the president or the provost (not the current ones, but in generically) is not working with the Board of Trustees approved Faculty Representatives on this campus for the generation of policy, etc. If that happens, there are larger problems.
- Phillip Bitzer: Does this amendment prevent that? OR does voting against it prevent that?
- Richard Miller: No, and that's my argument. This bill, with or without the amendment, is already violating our mandate as Faculty Senate. Our mandate has already been approved by the University and the Board of Trustees. We are THE voice of the faculty; we are THE permanent body generating policy and procedure. If we aren't being involved in that process, there's a larger problem. I would even argue that no bill is necessary. The reason we brought one up last year was simply to reenergize this body and remind the members what their role is in the University. It wasn't intended for the administration; it was intended for us.
  
- James Blackmon: This doesn't have any closure until consensus is reached. If you want to keep something from happening, keep it in evaluation forever. It seems like if we are going to do something, there ought to be a cutoff point at some level. Something has to happen,

whatever that something may be: a final recommendation is made and that's it, or whatever, as long as consensus is made.

- Mitch Berbrier: What you're proposing, ultimately, would lead to an amendment of the amendment, perhaps, in which case the amendment can't be amended until it's passed.
- Michael Banish: I want to make an amendment to the amendment.
- Letha Etzkorn: The amendment has to pass first.
- Michael Banish: Can I make a friendly amendment?
- Mitch Berbrier: I suppose.
- Michael Banish: Could we add in there that if they want to reject the first person, provide a written report to the Faculty Senate to explain the rejection. The amendment says that we will send a vote and if they don't like it... but it never says how they don't like it. So we can request why they don't like this person through a written report
- Bhavani Sitaraman: We could say, "to object in writing."
- Michael Banish: Perhaps if they have to object in writing, it will end the loop.
- Bhavani Sitaraman: Maybe it's the phrase, "the process of negotiation continue until a consensus is achieved." So maybe it should say, "*Further be it resolved that if the appointing administrator objects for sound reasons to the list provided by the Faculty Senate in writing...*"
- Richard Miller: Unless there's a conflict of interest, why does there need to be a consensus?
- Deborah Heikes: Otherwise you keep going back and forth between the Faculty Senate putting forward a list and the administration rejecting it.
- Bhavani Sitaraman: "*Further be it resolved that if the appointing administrator objects in writing to the list provided by the Faculty Senate...*" The question is do we want to provide an alternative list or not?
- Mitch Berbrier: Do you want to amend the amendment again? We have to vote on this at some point.
- Bhavani Sitaraman: I'm liking my amendment less and less. "*Further be it resolved that if the appointing administrator objects in writing with explanation to the list provided by the Faculty Senate...*"
- Michael Banish: No, because if they send it to us in writing, then we should be able to do an alternative list.
- James Blackmon: After we consider their objections, that we will submit an alternative list. We might consider their objections but submit the same list. So we shouldn't say alternative, but something to the effect that we will consider their objections and then provide a list.
- Bhavani Sitaraman: Maybe just stop with provide a written explanation for their objections, which really changes the bill completely. I'm trying to figure out a way to say that this happens under rare circumstances and so the administration should provide a written explanation. And the rest is a working relationship.
- Mitch Berbrier: That changes the bill too much. You can't actually completely negate the original intent of the bill. You weren't quite doing that before.

Deborah Heikes and Marlena Primeau call to question.

All those in favor of adopting the amendment to the bill as it is originally worded? 1

Opposed? 19

Abstention: 11

*Amendment doesn't pass.*

Continuation with the discussion of the bill as it was before the amendment was proposed. The language of the bill under consideration now is:

*“NOW THEREFORE BE IT RESOLVED that when university-level ad-hoc committees are initiated by the administration concerning issues of university governance (e.g., hiring committees), the appointing administrator shall request from the Faculty Senate, and the Faculty Senate shall provide, a slate of faculty nominees whose number is not to exceed three times the number of appointment positions, from which the appointing administrator shall select to represent the faculty...”*

- Deb Moriarity: In looking at the bill as it originally exists, the idea of giving them additional names to choose from, I thought was not that we specifically were giving up our voice as representatives, but rather giving them some flexibility in makeup of the committees where they are looking for either gender distribution, or discipline representation, etc. So that the idea of giving them a slate from which they choose was not, in essence, giving up our right to shared governance, but allowing the flexibility that they need in order to put together a committee that most fully represents those constituents.
- Richard Miller: I agree with you 100%. Here’s the scenario that causes to be problematic for me because this can be abused: Let’s say there’s a committee to build widget X and I’m the only one at the university who has ever built widget Xes before. They need 5 names to sit on the committee and they decide that they don’t like me. Even though I have that expertise and could make the most contributions, I’m not sitting on that committee simply because of personality issues, not because of any real conflict of interest. These are all gray areas.
- Deb Moriarity: I understand that can happen. But I don’t know how to defend that.
- Letha Etzkorn: It seems to me that without this bill, you’re back to where you were before.
- Richard Miller: Not if they follow what has already been approved by the Board of Trustees. It’s the requirement of this body to remind them what has been approved and what the requirements are.
- Letha Etzkorn: It seems to me that this bill gives the Senate a little more power to do that.
- Charles Hickman: Has this issue, having faculty representation, been a problem this year, or was it last year?
- Mitch Berbrier: They’ve asked for a slate a couple of times and I gave them a slate. So there hasn’t been an issue of them getting who they wanted.
- Richard Miller: But with the last president it was a problem.
- Charles Hickman: Rich said this is unnecessary and I’m leaning in that direction so I wanted to have some advice as to whether we currently see this as a problem. Honestly, I think the Faculty Senate resolved the last problem.
- Michael Banish: We added the “three times the number of appointments.” That is a positive statement in the road of shared governance. It’s making our job harder in that we have to nominate more people. It’s not a problem this year, but in the past it was. So if we’ve offered to give 3 people, they ought to be able to pick 1 of them. But Rich is right, this was meant to be a reminder to the Faculty Senate of the past administration.
- Bhavani Sitaraman: We don’t need this bill. One reason, if the true idea of representation was operating, we don’t need this bill because we have accurate representation. We also don’t need this bill because this simply reiterates working practice, which is asking for a slate. So why do we need a bill when, if this bill is defeated, we will go back to the current process of the administration asking for a slate, the Faculty Senate providing a slate, and administration and Faculty Senate developing a working relationship.
- Phillip Bitzer: We don’t have to provide 3 names. In rich’s example, if he is Widget X expert, we can provide just his name. So we have that recourse.
- Letha Etzkorn: Let’s say 10 years from now, there’s another president that the Senate has a problem with. They aren’t going to remember that this bill was ever passed.

Michael Banish motions to call to question. James Swain seconds.

Those in favor of the bill as it is? 7  
Opposed? 12  
Abstentions: 6  
*Bill is defeated.*

Mitch Berbrier: We are meeting again at 10:00am in BAB 114.

Deb Moriarity motions to adjourn. Luciano Matzkin seconds.

Faculty Senate Meeting # 547 adjourned  
April 24, 2014, 2:10 P.M.