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MINUTES OF MEETING #518, 29 SEPTEMBER, 2011  
APPROVED 27 OCTOBER, 2011

*Present: C. Hickman, E. Fong, D. Stewart, E. Gilchrist, D. Smith, L. Bollinger, D. Neff, K. Gyasi, S. Thomas, C. Sanders, D. Heikes, K. Hawk, E. Seemann, B. Sitaraman, R. Cerro, M. Ashour, J. Kulick, D. Pan, J. English, P. Componation, J. Cassibry, N. Slegers, B. Talley, M. Premeau, R. Magnuson, J. Baird, T. Newman, P. Slater, C. Morale, D. Wu, R. Miller, N. Pogorelov, Provost Karbhari*

*Guest: B. Wren, R. Osby*

*Absent With Proxy: K. Herrin, I. Warboys, J. Mecikalski, L. O'Keefe*

*Absent without Proxy: W. Mok, S. Yoo, C. Scholz, R. Aygun, M. Bonamente*

- ❖ Senate Meeting # 518 called to order at 12:45 by Dr. Timothy Newman.
- ❖ **Minutes of Meeting # 517:** Dr. James Baird moved, second by Dr. Eric Seemann to approve the minutes with a correction to take Dr. David Neff's name out of those listed as present.
- ❖ **Provost Karbhari Report:** Dr. Karbhari apologized for Dr. Portera not being here. He is in India trying to set up collaboration with campuses and giving a keynote address at a Conference.

At the September 9 Board Meeting the Bachelor Science in Individualized Science Studies received final approval and the Graduate Certificate Program in Enterprise Resource Planning, the Entrepreneurship Undergraduate Concentration within the Marketing Major, the Entrepreneurship Undergraduate Concentration within the Management Major and the Undergraduate Minor in Entrepreneurship received final approval. The Solar Physics program was recognized and the Baba Budha Eminent scholar was approved by the Board

The Board suspended the rules to approve some of the items to allow for a start date in spring semester. The Board has been very supportive.

The letters for raises should go out by next week. A caution, the period of pay is for the old and new and only a partial of the pay for the new salary will show on this payment. There are only 2 days reflecting the new pay rate in this pay period.

We received the resolution regarding the Staff and Faculty Clinic and adding resources. Prior to receiving the resolution Dr. O'Keefe had talked to the administration about adding resources so we gave her funding for a .50 FTE Nurse Practitioner. We realize the space is not ideal but right now there is no space for a replacement. We are building a new student union and the old space will be reconfigured for the faculty and staff clinic and will allow for a separate entrance.

Hope to have NSO announcement tomorrow—very hopeful and optimistic but until the announcement is made we will not know. They are meeting in Camber, Australia. The news will be given to us and to NSO at the same time.

Read this morning the ruling on the Alabama Immigration Law. How does it affect us—checking employment using e-verify—new employees or all-- we are trying to find out. We have had e-verify in place for few years and we have a link between student employees and HR. With the entire law not we are not clear where the law stops. Police have been asked to check routinely—if they check and find out what happens after that is not clear. We are not sure all rules apply to the institution. It is also not clear after we check what do you do? As we find out more we will let you know. Had a few meetings with Counsel and Admissions. They have been on board with paperwork. What happens to graduate students—trying to find out more. We are aware of issues and we are trying to figure it out and will let you know as we figure it out. Employers contracting with others also need to use e-verify—not clear but it appears that is now part of the law. There could be a period of time we have to try to comply while we are trying to figure this out.

Dr. Richard Miller inquired about the status of the Arthur Clarke center. We were not chosen as the winners. They negotiated with UCSD. They are trying to make us an affiliate with UCSD to be a part of the plans.

Dr. Richard Miller stated the Department had identified 10 adjunct faculty. They have not taught or participated in the Department activities. Adjunct faculty are defined in the Handbook. For your role we are interested to know what steps you will take to address this to make sure the adjunct faculty meet the standards and we retain quality.

Provost Karbhari responded he would have to know the details in order to answer and it would go before the dean before it came to me.

Adjunct as defined in the Handbook is a normal appointment to use and is generally looked at by the department and dean and provost. If the criteria in the Handbook are not met is it inappropriate to give that title. If the college and department follow the standards then yes.

Claudio Morales asked about the appointment of an associate chair for the Physics department. Provost Karbhari explained that if the department needs an associate chair and the dean agrees then the provost does not get involved. Money for an associate chair is internal and does not come to the provost for money.

Bhavani Sitaraman pointed out this goes back to people with dual responsibilities. If you have someone who is a Center Director and a Chair they will need an assistant because the person is overloaded in beginning and now they are saying the person needs extra resources. These do come to the policy level and a precedent is set. We went 2 years without a chair even though we needed one. Provost Karbhari pointed out we have a number of departments on campus who have assistant and associate chairs. As Provost I do not judge this it comes at the department and college level. It is the decanal authority whether the department needs a certain structure. There is a certain leeway at the college level and the dean has the authority. In general this is how it is handled. If the provost does not see any serious problem we do not need to get involved—only if additional resources are asked for then the provost is involved. The Physics department can bring this up to the dean. Richard Miller stated the faculty approached the dean with problems and they were unresolved and to others and they were unresolved. The associate chair is to address the problem.

There was a statement and a question regarding hiring. For the NSO—3 positions promised by the governor-3 positions by the university—would hiring and tenure be according to norms set by faculty. Provost Karbhari responded it would be the same as other positions. Hiring faculty and for tenure would have had to go through committee. If you know of cases we will check them.

Deborah Heikes asked about expansions of FYE and would this have to go through normal program change policy procedures. Provost Karbhari responded we are discussing an expansion at the dean level and if we get to that point it would go through normal program change policy.

Dr. Eric Seemann asked about the effect of the Immigration Law on faculty and the different diverse faculty and their licenses and ethical codes. If there is a reporting requirement they could be put in jeopardy. Provost Karbhari stated he is well aware and is discussing it and they will not be put in jeopardy.

- ❖ Dr. Tim Newman asked Dr. Jennifer English to come forward. Dr. Tim Newman **presented a plaque to Dr. Jennifer English honoring her for her service as Faculty Senate President last year.** Dr. Tim Newman stated that Dr. Jennifer English dealt with a lot of business last year. Dr. Tim Newman thanked Dr. English. He apologized for the lateness of the presentation.
- ❖ Dr. Tim Newman recognized **Rachel Osby, Staff Senate President.** Dr. Tim Newman stated that the Faculty and Staff Senate are trying to work together and have a closer connection and improve communication. Rachel Osby stated that she is excited to work together. If you have ideas for working together let her know. Rachel Osby stated the Staff Senate is working to

improve staff morale. With changes that have gone on morale has gone up and down and we are trying to improve that. We are trying to improve student life through staff support. We are trying to be at more activities. We are trying to be a positive force in the university and reach out to the community.

Dr. Richard Miller stated that there are bills introduced in Faculty Senate that we are sending to you to see if you have interest and we hope it will work both ways.

Claudio Morales asked do you know how many were people fired under the Williams Administration. Rachel Osby responded she did not know that number.

Rachel Osby announced there will be a social to meet and greet and get to know each other.

- ❖ **Executive Committee Report**—Motion to receive by Dr. James Baird, seconded by Dr. Bhavani Sitaraman. The vote was to receive it.
  
- ❖ **Reports from Committees**—Chairs may wish to add to their report or report on things not included in the written report.
  - **Personnel Committee:** Dr. Ramon Cerro reported he was chosen as Chair and a person on the Committee was unseated. The person has now been seated.
  
  - **Governance and Operations:** Dr. Paul Componation reported that at the last meeting the Committee was tasked to redo the election for the Physics Department and they did that. The Physics faculty were helpful in getting corrections to the list of eligible faculty and we were able to complete elections. We finished yesterday and the Senator was notified and agreed to accept. The Senator is Dr. Nick Pogorelov. Dr. Paul Componation thanked Peggy in getting the needed information to him to do this.
  
  - **Undergraduate Curriculum Committee:** Dr. Bhavani Sitaraman reported that the Committee has approved new courses and course changes from music and art. They are doing these electronically.
  
- ❖ Dr. Tim Newman announced that there is a vacancy on the Employee Benefits Committee. They need a Senator to serve on this Committee. Dr. Tim Newman opened the floor for nominations. Dr. Jim Baird was nominated by Dr. Ramon Cerro. Dr. Baird stated he would be happy to serve. There were no other nominations. The vote was unanimous.
  
- ❖ **Dr. Tim Newman reported the Budget was approved at the first Board meeting.** They added monies in tuition and 3 hires in Nursing, they added positions with the Police and ½ a position for the Faculty and Staff and Student Clinics. They dealt with some Library matters. They committed \$12M as a multi-year commitment to IT on campus. We need more details. The Finance and Resources Committee will try to get more answers. Dr. Carolyn Sanders state the Finance Committee should find out what they are using the \$12M for. Dr. Jennifer English

stated Dr. McGowan is willing to come and tell all about it but it will take 45 minutes to an hour. Maybe we could put him in front of one of the Committees.

- ❖ Dr. Ramon Cerro asked about students \$200 fee for use of the cafeteria—if they do not use it then they lose it. Dr. Richard Miller stated we discussed this last year—it was implemented as new revenue stream for the University. It is very typical of other universities. It is part of the on-campus experience. Dr. Ramon Cerro stated we should explain that to the students. Dr. Richard Miller asked how much is used on the students.
- ❖ **Dr. Tim Newman reported** the **University was donated a supercomputer** from the Arsenal and we in turn donated it to Hudson Alpha at no cost to us but we should have access.
- ❖ **Dr. Tim Newman reported** at the second Board meeting the **Board acted to hire Dr. Robert Altenkirch**. The Senate Executive Committee met with him for about an hour to an hour and a half—the comments from the Executive Committee were forwarded to the Board so they had them before they met. His start date is Oct 24.
- ❖ **Senate bills at Committees** –Senate Bill 350 and Senate Bill 359 in Personnel. Senate Bill 357 and 358 are in Faculty and Student Development.
- ❖ **Dr. Richard Miller stated we passed 14 bills since last year:** Two were rejected, one was later resolved, one was delayed for 8 months without a response, 4 were approved and required some follow up, 2 were on realignment and are mute now, 5 were accepted outright. We need to get a more timely response from the Provost office.
- ❖ **Dr. Tim Newman reported he divided the Handbook** and the Bylaws and his personal goal is to get this resolved this year.
- ❖ President-elect Richard Miller and Senate President Tim Newman have visited several departments and look forward to visiting more.
- ❖ **Senate Bill 352: Midterm Grading Policy** was moved to third reading by Dr. Eric Seemann and seconded by Dr. Carolyn Sanders. The floor was open for debate. The vote to approve was unanimous. It goes to administration as Senate Resolution 11-12-2.
- ❖ **Senate Bill 355: Establishing the University Ombuds Office**. This bill was sent to the Personnel Committee and modified and brought back. Dr. Ramon Cerro moved, seconded by Dr. Paul Componation to approve this bill on second reading. There were minor changes in the Committee--moved the sentence in line 32 to the front of the paragraph, changed it to read Ombudsperson not ombudsman. Dr. Richard Miller stated he submitted this and the motivation

was that we have a faculty elected ombudsperson but no corresponding position for staff and students and if one does a survey of peers and aspirants, the ombuds office is standard. As we grow there will be some issues and they need to be addressed in a timely manner. It seems to establish this office is to the benefit of the university. Dr. Charles Hickman asked if anyone had looked at the cost? Dr. Richard Miller stated we are making a statement of what we like and the implementation will be for further discussion later but the question is well taken. Dr. David Neff asked what power this person has and it was stated the same as the elected person, it is to facilitate timely decision making to grievances. This will be a central place where ombuds helps get someone to the right place and get the job done. Most ombuds offices have a staff, keeps statistics and report to the university regarding issues. It is an independent office that reports to the provost but is not under the provost.

Vote—passed unanimously—no third reading necessary. Send to Administration as Senate Resolution 11-12-3.

- ❖ **Senate Bill 356: Faculty Education Support.** This bill went to Faculty and Student Development and they looked at it and sent it back. Dr. Derrick Smith moved, seconded by Dr. Eric Seemann to accept the bill at Second Reading. Dr. Ashour spoke on behalf of the Faculty and Student Development Committee. This is proposing a tuition waiver for family members—the waiver was to spouse 50 % and 50 % for children and 100% to the faculty. We took out staff and split the two groups because we do not need to speak for staff, the Staff Senate can look at that.

Dr. Jeffrey Kulick asked is everyone classified as faculty or staff? This is bill for faculty only. Dr. Richard Miller stated we do not have purview of staff but we sent a copy of this bill to them. The focus here is on faculty and full time faculty as defined by the Handbook.

Dr. Brenda Talley asked the is a difference between spouse and eligible dependents in this bill. The answer was no.

Dr. Derrick Smith stated that it would be good to define dependent. He made a motion to change "dependent" to "spouse and eligible dependents". Dr. Claudio Morales seconded the motion. The amendment is on the floor. Define eligible or refer to the Handbook. Vote on amendment: 7 in favor—21 opposed. The amendment is defeated and we are back to the original bill. Dr. Jim Baird asked if faculty can take 2 courses per term. Dr. Kathy Hawk asked about the cost for this. We need to prioritize for budgeting, are we taking any of this into consideration? Dr. Richard Miller stated we are the genesis. The idea is to state what we want and the details are to be negotiated. It is not the purview of the Senate to get into finances and the details, we just tell what we want. The implementation is outside our purview. Dr. Carolyn Sanders state there was a Committee a few years ago that looked at domestic partner benefits. We need to go back and keep this in mind. This is a good recruiting tool. Dr. Carolyn Sanders made a motion to refer the bill back to the Faculty and Student Development Committee Sanders to consider partner benefits. Dr. Eric Seemann seconded and added to clarify the language regarding dependents. The language must be precise or it can cause more problems.

Vote regarding sending the bill to the Faculty and Student Development Committee was unanimous.

- ❖ Dr. Sam Thomas moved seconded by Dr. Paul Componation to adjourn.
- ❖ The meeting adjourned at 2:00 p.m.