



## Called Faculty Senate Meeting 527

June 7, 2012

12:45 p.m. in BAB 121

**Present:** *Wai Mok, Eric Fong, Laurel Bollinger, David Neff, Kwaku Gyasi, Carolyn Sanders, Kathy Hawk, Jeffrey Kulick, Jennifer English, Louise O'Keefe, Ina Warboys, Brenda Talley, Kristen Herrin, Philip Bitzer, Roy Magnuson, Peter Slater, Tim Newman, Richard Miller, Nick Pogorelov, Max Bonamente, Vistasp Karbhari*

**Guests:** *Robert Altenkirch, Brent Wren*

**Absent with Proxy:** *Charles Hickman, David Stewart, Molly Johnson, Marlana Primeau, Ramazan Aygun*

**Absent without Proxy:** *Eletra Gilchrist, Derrick Smith, Deborah Heikes, Eric Seemann, Bhavani Sitaraman, Ramon Cerro, Mohamed Ashour, David Pan, Paul Componation, Jason Cassibry, Nathan Slegers, David Moore, Carmen Scholz, James Baird, Claudio Morales, Dongsheng Wu*

- ❖ Senate achieved Quorum –called to order June 7, 2012, 12:48 p.m. by Tim Newman.
- ❖ We need to approve the agenda since the Senate Executive Committee did not have quorum and could not set the agenda.

David Neff moved, seconded by Nikolai Pogorelov to approve the proposed agenda and strike item 3.

Next item Faculty Handbook—item on agenda not finished last time is first this time.

We need a motion for suspension of the Bylaws to move item 4 to item 7. Ina Warboys moved, seconded by Carolyn Sanders—to move the Handbook to item 7. The motion then carried, the rules are suspended to allow moving these items.

- ❖ **President Altenkirch:** BETA Policy review—a memo came out to review the BETA Policy according to the policy—Tim Newman and President Altenkirch discussed and expanded the

process—another Memo will go out today or tomorrow—there is a plumbing diagram that was shown. When the review committee meets there are more checks and balances.

Voluntary retirement program (VRP)—some have seen this already—there are some changes and some clarifications in this version. There was an article in the Chronicle. There was a DROP plan offered by RSA but it is no longer available—you can see here the VRP plan mimics UAB's plan from a few years ago. Voluntary and an option and only for tenured faculty—tenure is a property right—the government removed retirement age—property right continues—we are in essence purchasing the property right. Same eligibility as Alabama Retirement System. Everyone who might participate is eligible to retire. Gives faculty income management ability. Plan includes payment of multiplier of current salary—spreads out over 3-5 years so not to mess up income tax. Manage all income streams—free up funds to allow institution to redistribute. Not about saving money—redeployment of personnel funds. Showed table of faculty tenure and tenure track and eligible and % of department faculty. Eligible 71—almost 32% of tenured tenure track 223 in the units represented. Average salary \$119,000. Proposing 125% of salary paid out over 3 to 5 years. Went over number of payout and recovering and hiring. Pool stays positive—self-sustaining. Wind up with more faculty than started with. Plan cannot load on front end may have to use more temp /adjunct first few years—if load front end then will go negative and interplay with other university resources. One time funds to make pool whole and in steady state remain positive and self-sustaining. Happens one time. Window and payment helps make decision. Is this manageable—yes as long as investment outside pool and one time and not recurring. Suggested time line—launch in fall, sign up February 1, apply April 1, retire June 1, 2013, January 1, 2014 or June 1, 2014. Talked about claims release. Talked about DROP program—looked at those in DROP program with 3 years in and those could participate in this without penalty. Leaving DROP program and participating in this equivalent but in DROP will have to work two more years. May be slightly better off getting out of DROP and taking this after being in DROP 3 years. Budget management—centralizing budget—our method. Have to manage revenue and expenditure in auxiliary and contracts and grants. Funds pooled centrally to be redeployed provides systematic planning. May be additional positions vacated that would go in pool. Not assistant professor positions vacated—already planned for so fold back in to where already were. Some areas might be devastated by number eligible in that area-- Brenda Talley. President Altenkirch—there are some consequences. Requires strategy and planning. Is possible resources move from one unit to another. Likelihood of it happening on a large scale is slim to none. Thoughts for extraordinary circumstances per Jeff Kulick. President Altenkirch—3 dates—group plan for self and how to handle. If sign up and then die goes to beneficiary or estate. Richard Miller—recruiting funds out of this or department. President Altenkirch—depends on plans and strategy—can't answer until know strategy plan. What is needed to move forward—unless huge outcry or objection, launch in fall. Documentation patterned after UAB and passed legal. Just changing dates and amount of money—Chancellor is good with it so no real road blocks. Some units have to think about how it will impact them. Discussed with Deans couple of times. Seem to be on board. Ability to strategically make some change. If what was needed no longer needed then could make change. Eric Fong—pace to replace—suffering in

short term—for those left. President Altenkirch—you have access to adjunct etc. These people could retire tomorrow. Same situation—ability to plan. It is a Legal issue to phase over longer period. Experience with these things is it is best to get on with it. People spend a lot of time to pick out a date—June 14. Only allow one change so we can manage it but will let them change backward. HR will be the advisor.

- ❖ **Provost Karbhari**—Convocation is August 21 in the afternoon—Tuesday. Leadership Development for Chairs, Deans, Directors, August 16 and 17 and will talk about Assessment and Student Success with an open session for faculty as well.
- ❖ **Senate Executive**-- no minutes-- no quorum—this presentation. Any reports? None.
- ❖ **Handbook revisions—Chapter 7**—no need for motion to approve; already debating—reminder, we changed table to have 3<sup>rd</sup> year and changed roles and responsibilities of Chairs.

Richard Miller—troubled with section 7.9 but don't have words to replace. Others concerned—like annual review so why singled out as post tenure review. Roy Magnuson—say same—wording at beginning vague and no information on how initiated, purpose is vague—still not clear what the purpose is. Roy Magnuson moved the section on post-tenure review be stricken, Laurel Bollinger seconded—faculty activity report—more than that Louise O'Keefe. Max Bonamente—how often has this happened—not done in the past. This one was debated quite a bit. Tim Newman—the Executive Committee did not modify Chapter 7. Jeff Kulick—there was another section before and Personnel deleted it. Two years ago put in to gain additional resources to go to courses, training, etc. Kathy Hawk—have post tenure review process—consequences available? None listed here—Richard Miller. Kathy Hawk --does it just demoralize people? Tim Newman—came back from Handbook a completed procedure—if certain number negative reviews—then there should be some remediation take place and if remediation failed then responsibility changed. Jeff Kulick—point was to provide additional resources to deal with that they would not have ordinarily. Personnel committee removed language of remediation. Nikolai Pogorelov—committee believed too scary and make more vague. Richard Miller—provide resources awesome but can provide without draconian practice. AAUP—work hard many years and achieve tenure for work on evaluation of peers externally and internally—unless reevaluating tenure why need this to take place. Have achieved tenure and want to invigorate can do through annual review. Wai Mok—in the Business College if productivity goes down then teaching load increases—don't need this process. Amendment—vote—Ayes have it—section is struck.

Magnuson—7.5 additional criteria—7.6—College but not Department- put “7.6.2 Procedures for Developing Department criteria and procedures”.

“The departmental promotion and tenure committee shall have the ability by majority vote to adopt or revise any departmental criteria for promotion or tenure.” Carolyn Sanders seconded. Kathy Hawk assuming there is a single departmental committee. How do you standardize—

Committee changes. Richard Miller—when we bring in students they are bound to the Catalog. Roy Magnuson—identified secret agenda—also applies to College and is not addressed. Max Bonamente—provision upon Promotion and Tenure contract issues set of rules and applies. Jeff Kulick when tenure package put together have to include criteria in package. Roy Magnuson—College of Science engaged in developing criteria and guidelines—experience mixed—Biology Departmental Criteria—Chair wrote and sent in without consultation and debate. No College wide discussed. All in line advisory. Really think value in having very flexible simple value based guidelines instead of procedural guidelines. Minds shut off when details laid out too neatly. What led to this desire to give more guidance and what are the expectations. When write expectations should be reasonable. Jeff Kulick—discussion in what role plays in guidelines. College and Department set own guidelines. Roy Magnuson—goes all the way up the line and different guidelines. Every package comes with package of guidelines. Nikolai Pogorelov—no set guidelines for entire University. Brenda Talley—other universities do that and equate and translate what it means for each one. Carolyn Sanders—we do that. Brenda Talley—may have different meaning in Nursing and Engineering. Evaluation by Department is important. Laurel Bollinger—concern I have is codifying this—may not be able to respond to individual when in something like this. Peter Slater—vague and does not force but shall have ability to do. Amendment—8 for, 11 against—motion fails.

Roy Magnuson—Section 7.6.1—states tenured faculty final authority to adopt...replace with **“New or revised criteria and procedures.” Shall require consensus of all Departments as determined by majority vote of tenured faculty in each Department.** David Neff seconded. Louise O’Keefe—The College of Nursing has no departments—the number of tenured faculty is very small. For Nursing we need to be more inclusive—all faculty. Brenda Talley—case could end with 1. Roy Magnuson could say tenured and tenure track. Obvious reason for this is to prevent large departments from forcing something on small departments in the same college. Nikolai Pogorelov—already have large department and it will have more votes. Ina Warboys—promotion, anywhere there is Clinical Faculty this is a problem. Amendment—14 in favor 8 against—adopted.

Richard Miller-propose something—Roy Magnuson—if you have any tenured people you can change the criteria. If you do not you cannot change the criteria. Jeff Kulick—present criteria during reviews. Which criteria used for faculty. Roy Magnuson proposed just for fun—7.5.1—Departments and Colleges may have additional criteria consistent with the University-wide standards and whole section on adopting .. 7.6.1 and following sentence, Max Bonamente seconded. Max Bonamente—guidelines and become important when controversial. Found guidelines useful. Louise O’Keefe—should be taken seriously—railroaded to vote on things do not understand. Jeff Kulick—when did original discussion—wanted URB to understand and wanted attached to package —don’t know what College applied. Kathy Hawk--college put out things—benefit—keep vague for what advantage. Don’t want young faculty to be clue less—Looking for balance. Roy Magnuson—Language is a problem—“criteria”—crisp language—word threw around “guidelines”. Criteria tends to be definitive--guidelines provide flexibility. Replace

“criteria” with “guidelines”. Louise O’Keefe—fear with vague reside at higher level instead of College. Amendment—nays have it, failed.

Richard Miller-- Section 7.10.1.3—Board Rule 301 prohibits administration from having tenure if did not have tenure when became administrator. Does it need to be clarified? Nikolai Pogorelov—no interpreting—should be as any other. Eric Fong –this was discussed at length and interpreting “and” or something. Nikolai Pogorelov reviewed as others and can be awarded tenure as others. Kathy Hawk—if someone from Arsenal—hired with no academic background could we offer tenure—Jeff Kulick—discussed –apply for tenure in normal process. Eric Fong—some interpreting 301-- new administrator hired cannot be given tenure on hire—does not have to be interpreted that way. If hire untenured previously should be able to go through normal process at every level. When negotiating hire when does it happen? Max Bonamente—discuss with Committee—the Committee is set for a year and the Committee can be convinced to meet and can happen in a short time. Richard Miller—read rule—Nikolai Pogorelov—means two types of people, Laurel Bollinger and Eric Fong agrees. Tim Newman noted the Executive Committee also spent time discussing this Board rule.

Tim Newman: We are running up against our time deadline for this senate meeting. We can vote (1) meet longer or (2)to meet again later in the summer or (3) wait to fall or (4) send this back to committee. Roy Magnuson—if go longer not a lot longer. Concern for doing small group or push to fall when larger group. Question about what happens to unfinished Senate bills and business - business carries over. Handbook not approved yet. Remember, all changes desired by deans, provost, etc., come back to Senate – or that is supposed to be the procedure. If we pick up here in fall there is a turnover in Senate personnel.

Took straw poll, majority wanted to meet again later in summer for Handbook/by-laws-- 11 for, 7 against. Will call another summer meeting.

Meeting adjourned.