
FACULTY SENATE MEETING
November 16, 2017
12:30 P.M. in NUR 101A

Present: Milton Shen, Laird Burns, Kevin Bao, David Stewart, Ryan Weber, Joe Conway, David Johnson, Andrei Gandila, Jeremy Fischer, Anne Marie Choup, Dianhan Zheng, Kyle Knight, Mike Banish, Yu Lei, Tingting Wu, Yuri Shtessel, Fat Ho, Earl Wells, James Swain, Kader Frendi, Gang Wang, Christina Carmen, Angela Hollingsworth, Sharon Spencer, Monica Beck, Amy Hunter, Shanhu Lee, Roy Magnuson, Carmen Scholz, Jeff Weimer, Harry Delugach, Tim Newman, Shangbing Ai, Lingze Duan, Vladimir Florinski, Monica Dillihunt, Shannon Mathis, Ron Schwertfeger

Absent with Proxy: Chris Allport, Sophia Marinova, David Harwell, Fran Wessling, Carolyn Sanders, Ann Bianchi, Lori Lioce, Vladimir Florinski, Qingyuan Han

Ex-Officio: Provost Christine Curtis

Guest: President Bob Altenkirch, Dr. Ray Vaughn

- Faculty Senate President Carmen Scholz called the meeting to order at 12:52 pm.
- Motion to approve Faculty Senate meeting minutes. Ayes carry.
- Motion to accept FSEC Report. Ayes carry.
- **Meeting Review:**
 - **Online Privacy Statement Policy passes.**
 - **Bill 402 passes.**
 - **Bill 415 passes.**
 - **Bill 408 passed second reading. Passes third reading unanimously.**
- **Guest Speaker**
 - Dr. Ray Vaughn
 - I asked Carmen to speak with the Senate. I want to update you on several items. I wanted to start with over viewing the responsibilities of my office. I did speak with Carmen about complaints with C&G. After looking them over, they weren't C&G complaints. There will always be complaints with OSP and C&G. We try to intervene when we are made aware and talk them through.
 - I wanted to tell you things that I am proud of. The first is the creation of the Proposal Development Office. I think they have been personally responsible for the increase in NSF awards. I worked for three years to get C&G transferred to my office. I firmly believe pre and post award should be under the same manager. We moved C&G from Shelbie King Hall to the Von Braun Research Hall. As far as I know, it seems to be working better. We recently won the largest NSF research grant that UAH has been awarded. I put that up as a point of pride. There was a lot of work

that went into that to make sure that UAH received this award. There is one in the state. This state lost three years in a row. I knew if we could lead, we would get that proposal. We got a \$20M state wide effort we are leading. We have a much more balanced portfolio of contracts versus just grants now. I drafted the policy on policies and it created the process of policies. That was a major step forward. I think we have improved communication at all levels. Sponsored Programs is a small organization that is under paid. I lose them to Research Park very often. The only way to solve that is pay raises and that just isn't an option. C&G doesn't do procurement. A lot of complaints came with the procurement process. C&G primarily does invoicing. In my opinion, they are underpaid. We try hard to keep them on board, but they are very good accountants. We deal with two problems contracts and grants. They are very different.

- When I interviewed in 2013, this was an area of concern. I was concerned with the portfolio split. I said I would try to diversify that portfolio. We put some things in place that would help with that. Today in our FY17 portfolio, NSF is now 11.24% from 3%. That is a huge increase. That is primarily because of faculty and research centers winning more NSF grants. They are good to have, they are multiyear. NASA has gone from 21 to 23.6. DOD grants have gone to 19.2%. We have had to move much of the DOD contracts to industry contracts because we lost our sole source at Redstone. To preserve our work, we moved to industry contracts holding 33%. We have a lot happening within DOD.
- One organization dominates, that is SMAP. FY 17 has the largest authorizations to spend. Many other organizations are doing quite well. I wanted to show why I have to pay attention to the research centers. That is where a lot of the research funds are coming from. This is now the FY17 split with contracts and grants. It is basically 50/50. The trend from 2013 to now is growing. This shows proof that things put into place are working.
- In 2013, we had major problems with the arsenal. We had the luxury of having several sole sources. The leadership change took away sole source and much of our work. That caused a huge problem for us. We couldn't rely on the dollar flow from the DOD. We then used industry contracts. As we have moved to larger industrial contracts, every industrial organization has a different invoice process. DOD has one process. C&G that hasn't grown has to manage all the invoices through their process. There is a down side to moving to the industrial contracts. Also, DOD has given us a large number of additional requirements under the FAR. One example that has been an issue is requiring us to implement 110 security requirements within IT. We began to get letters from all of our primes that required us to comply. We are building a system within our IT system that only researchers required will have to use. This will cost my office several hundreds of thousands to implement.
 - Laird – Who is responsible for that?
 - Ray – Russ Ward is the one setting it up.
- We have a very quite organization, Office of Research Security. They manage over 400 security clearances. They handle many things that you never hear about. We don't do any classified research on campus, but off campus we do.
- F&A isn't profit. We don't make a profit. When you submit a grant or contract, there is a direct cost. There is also indirect cost that we need to recover. Our true indirect cost is 58% for the university. We never get 58%. Research actually cost us on the support side. It has to be compensated through tuition revenue and state

revenue. I am trying to get the max F&A. 48% for normal research is the F&A rate. We received a 2% increase. Off campus work doesn't capture as much F&A.

- At this university, 51% of our F&A return is at the off campus rate. 35% is at the on campus rate. 7% is no F&A. Sometimes I waive F&A. I don't do this automatically. Some of our colleges receive very small grants and we don't charge F&A.
 - Roy – I have looked into this before. The rate is justified by the expenditures. It seems we want to spend more than the rate so we can justify a rate increase. The gap on administrative side is worrisome.
 - Ray – Every university worries with this.
 - Roy – Do some come closer?
 - Ray – No, I think we are very efficient.
 - Carmen – Where is the 15% of F&A that DOD pays us?
 - Ray – It isn't there because it is split, but most is done by SMAP and falls under off campus. For DOD research that is off campus, we are boosted from 27.5% to 28%. The difference goes into the pot to pay where we fall short. Most of our work is off campus and that will hurt us.
- Harry – Why is health and environmental safety under your office?
 - Ray – It isn't unusual. It falls under because of the number of labs. It has a dual reporting structure. They report to my office and to facilities. They may come to me and say they have asbestos issue. Facilities then work to fix that issue.
 - Mike – It used to be under the VPR then moved to VPF. I was under the group that said it needed to be moved back. When you plan to do something, you are going to have chemicals, lasers, or radiation. Working with two organizations makes it very difficult.
 - Ray – I am not happy with their performance. We are working to improve this.
 - Carmen – There has been some improvement within the past few years.
 - Ray – We have issues with black mold and dangerous chemicals; they need to work more quickly on some issues.
 - Jeff – As we open the door for EPSCOR, I have been confronted with trying to collaborate with UAB. The dual overhead and charge has become confusing. We need more open discussion.
 - Ray – I would be happy to do that. The three VPR's work together well. Some of our nursing needed some assistance, I called the UAB VPR and he didn't charge me overhead. We have to know about them.
 - Laird – Thanks for C&G. Is there a chance to get a copy of the presentation? The Chancellor has come to the FSEC saying we would like more collaboration with the younger faculty. We would like to collaborate with those who have been here longer.
 - Ray – We are thinking about putting up a bus trip. There is a NSF day that will occur in Birmingham that will take people down. It is a system wide NSF day.
 - Laird – We have had issues with DOD over the last few years. Are there ways we may be able to grow some of that back?
 - Ray – It is going to worse. It won't get better. We are doing several things to get better. We are participating in OTA's that don't require FAR

oversight. We are on three OTA's now. We just won another. We are dealing with the arsenal now on a cooperative agreement that will be sole source to UAH so we can pass work through it. I have to tell you it has hit me like a bus. When I show up in 2013, within a couple of months, everything changed. Financially we are still doing ok. In 2013 to now, we have had the highest research numbers.

- Mike – For those of us who write proposals with a cost share. It seems we start with zero. We typically steal faculty time to make up that cost share. It would be nice if we came up with a more sensible plan.
- Ray – I think taking faculty time is a sensible plan. That is where I want to start to apply to cost share.
- Roy – You said our real indirect cost is 58.7%. So we are using money on the average dollar. You hinted that the grants were more profitable than contracts?
- Ray – That wasn't a hint. Contracts are much easier to manage than grants. Grants are so extensive. We get audited a lot so we have to read these and follow. You don't hear much about audits now because we do very well.
- Roy – Since we are under water, where does the subsidy come from?
- Ray – Tuition and state.
- Kader – Two years ago we lost the Carnegie ranking.
- Ray – We didn't really lose it, they just changed the criteria due to our PhD production.
- Kader – Can the research centers under your supervision get the PhD production back?
- Ray – There are some that do PhD students. They are working as hard as they can. At a small university, we are limited on PhD programs. I am not making excuses, we need to work hard. We didn't see that coming, they just changed it.
- David S. – You are saying research costs us money and it comes from tuition and state dollars. We have been told there won't be any more tuition or state dollars, why do we want more research?
- Harry- We want more grants.
- Ray – The difference in what research returns and indirect cost will always be handled by state and tuition revenues. This is actually built into the budget.
- David S. – The tuition won't increase. The state funds for research will go up?
- Ray – The state doesn't fund research.
- Tim – I think one thing that would be interesting would be to compute with a marginal rate. With that, it isn't 58%.

➤ **Officer/Committee Report**

- Carmen Scholz, President
 - If you remember Bill 410, that has been accepted by the administration. Bill 414 has been declined by administration. We have been working to have library collaboration. The Chancellor has now asked the three library directors to work on this. The last thing, I have a faculty handbook as it stands right now for all faculty.
- Christina Carmen, Governance and Operations Committee Chair

- The university committee list is complete. The reference manual for 2017/2018 is still pending.
- Monica Dillihunt, Undergraduate Scholastic Affairs Committee Chair
 - We met and we are in the process of gathering data. We are still meeting on retention.
- Tim Newman, Parliamentarian
 - The handbook committee has met and is proceeding forward on Chapter 5.
- Laird Burns, Finance and Resources Committee Chair
 - We have received all the proposals for RCEU. They will be put into charger path and students can apply.
- Mike Banish, Past/President-Elect
 - I finally met with Chih Loo. We sat down and went through the budget book. We didn't get into policies and guidelines. We better understand where things are going. How we are spending \$ 40M a year is unknown.
- Kader Frendi, Ombudsperson
 - No report.
- David Stewart, Personnel Committee Chair
 - We will be reviewing Bill 416.
- David Johnson, Faculty and Student Development Committee Chair
 - We will be meeting to discuss Bill 418.
- Anne Marie Choup, Undergraduate Curriculum Committee Chair
 - We reviewed three different proposals and approved them.
 - Presentation on tax reform.
 - Carmen - We could pass a sense of the senate. I am not sure how effective it would be. I want to get your opinion on this. This would be done to show our concern. Or d owe reach out to our sister systems to put something together jointly.
 - Kader – I suggest working with the system.
 - Mike – I think you need to contact them now. Think about the medical reimbursement at UAB. You have a sense of the campuses. I don't think it has to be a sense of the senate.
 - Roy – I think the one that will be the biggest impact is the issue of taxing the tuition waivers.
 - Carmen – If I get in touch with my other colleague senate presidents. This means you are all in favor of this.
 - Mike – All in favor of speaking with system senate presidents. Ayes carry.
 - Tim – I personally I think it would be nice if someone brought forward a bill by next senate meeting that hits on the items that are of most concern. I think it could really impact us and many other universities.
 - Monica – Can you get those out to the faculty?
 - Anne Marie – The summary points? Yes.
 - Jeff – I think each senator should disperse those to their departments.
- Carmen - We still have one policy that is still out there – online privacy statement policy. This has been out since 2015.
 - Mike – I make a motion we accept. Monica seconds.
 - Roy – I am concerned with the language. It opens nicely. Then it proceeds to show loopholes.
 - Jeff – I am speaking to being required by law.
 - Roy – We could be giving anything that someone wants.

- Tim – I think we should be concerned with the language. I will say that the sentence is strong language. This is required and that is the strongest language that one can get.
- Monica – I think the wording shows that the IRB would cover anything required by law. They can't provide information.
- Roy – I agree. There are lots of things that are confidential.
- Carmen – This speaks to surveys. If you wish to participate and reveal what they ask, then don't speak to things you don't want out.
- Roy – A. we shouldn't lie.
- Mike – It is only confidential based on what the law says. If the law requires you to divulge the information, we have to.
- Roy – Then we shouldn't say that.
- Laird – Regardless of a policy, law stands.
- Ron – It seems that the text is very similar to the text at U of A.
- Carmen – In favor of policy as it. Ayes carry. 1 opposes. 3 abstain. Policy passes.
- Bill 402
 - Mike motions to bring this forward. Jeff seconds.
 - Roy – Assuming that it would be transparent and fair, probably won't happen. I know that people are looking for proposals all over the university. There is no way to have experts on all of these. What are you going to do?
 - Carmen – I don't agree with you. I think it is valuable to have people there that aren't from that field.
 - Jeff – I read this as benign. Basically it says that faculty can write on their activity report that they are submitting proposals. I don't see anything about the transparencies about the reviews.
 - Carmen – All in favor of this bill. Ayes carry. 1 abstains.
- Bill 415
 - Monica motions to bring this forward. Mike seconds.
 - Tim – I think this bill is way overdue. I think we have a number of entities that the faculty should be involved with. For budget and planning issues, why don't they meet? Why doesn't faculty serve on it? I think it is great.
 - Kader – Especially given the current issues with the President coming up with budget, we need this.
 - Carmen – All in favor. Ayes carry.
- Bill 408
 - Mike – This is about a year ago, it went to committee. They couldn't find any changes.
 - Monica – I move that we accept. Mike seconds.
 - Roy – It is a little odd that if we have an external search that internal candidates can apply. It is adding an extra step in the process.
 - Carmen – You are correct in an external search internal candidates can apply unless they are convinced not to. It may not be legal, but true. There seems to be a movement to look for Chairs from the outside. In some departments, there may be some internal candidates that are discouraged or not considered. There are two years that they are less effective rather than someone who has been there.
 - Jeff – The concern is that it adds an extra step. I see it as a required extra step. I would like to propose amendment. That, at the written request of the affected unit. I would like that internal candidates get the departments behind them.

- Tim – I like the direction of the amendment. I think this could be misunderstood. Some think the head of the unit is the intention of the unit. You want members of the unit. I think you want to say more about what that means.
 - Roy – Motion to vote on amendment. Kader seconds. Ayes carry.
 - Carmen - All in favor of bill. Ayes carry. 1 opposed.
 - Mike – Third reading. Tim seconds. Ayes carry. 1 opposed. Bill passes.
- Meeting adjourns at 2:23 pm.