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**FACULTY SENATE MEETING**  
**November 17, 2016**  
**12:30 P.M. in NUR 205A**

***Present: Laird Burns, Yongchuan Bao, David Stewart, Ryan Weber, Joseph Taylor, Carolyn Sanders, Jeremy Fischer, Anne Marie Choup, Eric Seeman, Kyle Knight, Ramon Cerro, Fat Duen Ho, Earl Wells, James Swain, Kader Frendi, Christina Carmen, Casey Norris, Ann Bianchi, Marlena Primeau, Maria Steele, Mary Bonilla, Debra Moriarity, Carmen Scholz, Harry Delugach, Tim Newman, Dongsheng Wu, Ming Sun, Monica Dillihunt, Shannon Mathis, Michael Banish***

***Absent with Proxy: Tingting Wu, Roy Magnuson***

***Absent without Proxy: Xuejing Xing, John Schnell, Sophia Marinova, David Harwell, Irena Buksa, Christine Sears, Dianhan Zheng, Yuri Shtessel, Babak Shotorban, Mark Lin, Tracy Durm, Amy Hunter, Qingyuan Han, Shanhu Lee, Michael George, Vladimir Florinski***

***Guests: President Bob Altenkirch***  
***Mr. Anthony Daniels, State Representative***

- Faculty Senate President Mike Banish called the meeting to order at 12:34 pm.
- Approval of Meeting 572 minutes. Tim Newman motions to accept. Faculty Senate Member seconds. Ayes carry.
- Accept FSEC Report from November 10, 2016. Carmen Scholz motions to accept. Laird Burns seconds. Ayes carry.
- **Administration Reports**
  - President Bob Altenkirch
    - Parking – We have been working on a parking study. They are collecting data based on times of day which parking lots are full. We should get a recommendation within the next few weeks. I will tell you that they will say we have enough parking today, but as we grow we will need more.
    - Bike racks – Facilities studied where the racks are and that 15% are taken up by permanent bikes. We don't have a bicycle policy. The pink dots are where bike racks are located, we have 882 bike racks. The yellow spots are where 254 new spots are proposed. We will put into place a bicycle policy. This will let us take bikes that have set there for six months and cut the chain. We have a similar policy for residence halls but only for the end of the semester. We are going to propose that you register a bike, when it is chained to a tree the student can be notified to remove the bike. The policy is on the website. Facilities are going to install the bike racks now then move the policy forward. Spring semester we can clean up the bike racks.

- Title IX Compliance position - We looked internally but we don't have anyone that would satisfy the requirements. This person would oversee and coordinate their work. They would take over all compliance. This was under John Cates. Over time it has been decided that the original placement of the position wasn't good. There was conflict of interest. The system has recommended that we pull this position out of the legal office. If you have read the headlines, you can see that Title IX can be sticky. We are required to invest in Title IX complaints. To be honest, universities aren't equipped to do this. Then you end up with a lot of accusations and complaints. We need to stay on top of it. We have one lawsuit that is pending. Hopefully we will be able to settle soon. This person will be at the campus level and funded by the system.
  - Ramon – It is very interesting and understanding that you want someone in charge and I agree. My question is how can we find within the administration an existing position to be used?
  - President – We tried that, but we can't find someone.
  - Ramon – You were asked this question when you came on board, you said no more administration. But the number has actually grown.
  - President – I wouldn't agree with that. I think a lot of the positions you are going to identify were already existent. Dean of Professional Continuing Studies that was the same person. When Mike Finnegan retired, we didn't replace him. This position is one that we are required to have. There isn't an internal person that can fill it. It has dual roles, overall compliance and Title IX. My thought was Title IX wasn't full time, but we had to pull compliance out of the legal office.
  - Ramon – That is understandable. I understand we want someone that is fully qualified. The faculty struggle to understand positions that were teaching or related to needs of the department.
  - President – Here is an example. We had a Department of Education; it was down to 100 students. Long term that wouldn't be viable. You fix it or let it go. If you go back to College of Education and look at the competition, UNA and JSU, their enrollment was on the border of 500 - 1000. The Department of Education and the College of Liberal Arts caused that. We are the only people that had a Department of Education, they had a college. Our secondary education degrees were disciplinary with a certification. The financial difference in our five year certification was substantial. We then made it a college. There was a number of faculty hired due to that.
  - Ramon – I don't have the numbers with me, but there were positions lost in science and engineering. In this case, it was necessary.
  - Debra – Does this include compliance with granting agencies and NCAA? When you say compliance there is a lot of areas. What comes under this umbrella?
  - President – Everything except athletics. They have their own person. This person will keep up with that regulations are changing.
  - Debra – Would that person be research integrity officer?
  - President – Whatever John Cates compliance responsibility was, it will fall over.

- Class Schedule – For the fall, there will be twenty minutes between classes. We looked at CTC and considered renovating it, but financially that wasn't an option. We could get several large classrooms there. We can move professional continuing studies there and free up classes in Wilson.
- Overtime Rule – This goes in effect December 1st. The threshold for overtime goes from \$23,000 to \$47,476. Previously this meant someone making over \$47,000 wouldn't make overtime. They will now. HR has been working on this. For all the employees we have that make less than \$47,476, worked five hours overtime would cost us \$1.2M in a year. If all the employees between those two numbers salaries were raised to \$47,476 that would cost \$1.2M recurring salary. This would disrupt the salary structure. So far a dozen employees have had their salaries adjusted to go above the \$47,476 threshold. Teachers and coaches are exempt. It doesn't matter what the salary is, they don't qualify for overtime. 25 states have filed lawsuits against the law. There was a hearing yesterday. The outcome is supposed to be out November 22<sup>nd</sup>. It is in District Court. This judge was appointed by President Obama, who is pushing the bill. The chance of this bill being blocked is small.
  - Carmen – According to this does it apply to staff assistants?
  - Harry – There is a lot of noise on the news that that it would be overruled.
  - President – It is a rule. If it was rolled back, it would take a year. If the lawsuit is successful, you wouldn't put the rule into affect while it isn't being considered. We would leave employees the way they were.
- Representative Mr. Anthony Daniels
  - It is a pleasure to be here. I once was in RSA. I know you all have many supplement plans to RSA. There are many institutions that don't have that. My background is primarily education. I graduated from Alabama A&M. I taught third grade here in town. I returned to Huntsville and became the Corporate and Foundation Relations Officer Fundraising/Advancement for A&M. For some reason, I decided to run for office in 2014. When I was 23 years old, I was elected Chairman of the National Education Association. While in DC, I worked with President George Bush and Senator Ted Kennedy on the Affordability Act that provided more support for tuition. We noticed that while the cuts at the federal and state levels were drastic, they had to make this up through tuition. This piece of legislation helped those seeking financial aid. At public institutions, they have been moderate in their increases. We are fortunate to have champions in Montgomery who support our institutions. You all are doing a great job and changing the world. My hat goes off to each of you. Especially those who teach in the Engineering area, you know the private sector wants your expertise. I commend you for being here. They make sure that UAH is thought of in higher education in Montgomery. Many institutions that are funded by the state do not have their leadership in Montgomery or inviting us to the campus. It is refreshing to see recommendations and presentations before we go into session. For me, Montgomery is compared to teaching third grade. It is unpredictable. You don't know how each member will respond to certain things. You have to have that personal touch that was taught from my grandparents. I don't have 20 years of experience. I take time every Tuesday to get to know the members. One of the processes that is very important is sitting down with those who are in support and opposed to pieces of legislation. My motto is if you aren't going to tell me the truth, you can sit with me a second time. I force them to work

together to iron out their differences and come to some agreement. I am on two committees: Small Business and Commerce and Insurance Committee. My wife is a Practitioner, so I am learning a lot on both sides. I did learn one thing that insurance companies are much stronger than I am. I was able to get one piece of legislation passed by going to the end and worked backwards. A lot of the legislation I have pushed is for small businesses. All of the things I work on I feel there is some common ground on both sides. Our emotional intelligence is always tested during election time. I vowed after the election, that all goes away. I focus on things that will impact the state positively. I have been an advocate for that. With my education background, you may wonder why I am not on the Education Committee. I chose to avoid a committee that everyone would think I would be a puppet for. I am a huge advocate for education and a lot of things I do

- +-are behind the scenes. We have educators that are in the legislator but their experience is dated 30 years ago. I brought a fresh perspective to them because of my recent experience. I understand on this campus you are doing so much to prepare the workforce. I think you do a great job. I think we can depend on the research and preparation from this institute to make sure the students are prepared. We have moved from the manufacturing age. I worry about those that have been displaced, getting them into the current workforce. They have to be retrained. They won't go through a two year or four year institution. We have to work with them before we go through the recruiting process. We complain about individuals who don't want to work. I come from a community around Union Springs, AL; they took pride going to work. It is hard for them to transition into another job when the next closest employment is forty to fifty miles away. How do we train them to go back into the workforce? Many times they have gone into their 401K at this point and they are starting over. We have to collaborate on the front end to meet those needs. That reduces our impact from the general fund. Yesterday, I visited a facility in Columbiana. Here they are close to a year of getting out. They are going through workforce training and learning how to weld. I was very pleased to see that they are working with these families. I would like to see something similar as in New Jersey, where they are helping those with treatment so they can become normal citizens. I want to see if this is something UAH would be interested in and providing research. We still have to develop the soft skills. The Department of Corrections does not force those inmates to go to class, so they are illiterate. Our institutions are critical if we are going to address the problem. I am against combining budgets. From the numbers we are looking at, you all should be very concerned. I am on the task force; we are one of the few states that have 84% earmarked. Earmarking is allowing funds to continue to support things that are not working.

- Ramon – Does line items count towards the working budget?
- Mr. Daniels – It depends. Line items are not permanent. For South Alabama, they receive a line item to deal with a program that they work with high schools. This is to pilot that project and see whether or not that works. Some line items are not counted in the overall budget. We come here in January and sit down for the university to go through their priorities. We then try to figure out how to get the increase to cover those areas.
- Ramon – State Climatologist has a line item.

- Mr. Daniels – That is a state position. It comes to the university but can't be used for anything else.
- Monica – You mentioned that your interest was in small business. We are about the launch the incubator. Would you be interested in working alongside with that?
- Mr. Daniels – I am hosting a meeting today to see how the state is working.
- Carolyn – I met you before you were elected, I was so thrilled you were elected. I had to attempt to explain the amendments to the students. I had a very hard time going through the verbiage. Is there any way to make those easier for the common person to understand?
- Mr. Daniels- They aren't meant for you to understand, seriously. I think we could host open public forums. I think that attorneys and legislatures should explain it more than the news. We need to make sure the information is accurate.

➤ **Officer/Committee Reports**

- Ramon Cerro, Personnel Committee Chair
  - No Report.
- Joseph Taylor, Finance and Resources Committee Chair
  - We are in the process of accepting student applications to faculty proposals. I will try to give you an update for how many you have received if you put in a proposal. We will then evaluate the proposals over the break and into early spring semester.
- Christine Sears, Undergraduate Curriculum Committee Chair
  - Our committee has looked at 56 course changes, new programs, and policies.
- Monica Dillihunt, Governance and Operations Committee Chair
  - The elections were held and those winning persons have been uploaded on the Provost page. You can see who serves on each of these committees.
- Tim Newman, Parliamentarian
  - No Report.
- Carmen Scholz, President-Elect
  - There was one bill submitted.
- Kader Frendi, Past President
  - I tried to call a meeting for the ad-hoc committee for graduate, failed to get quorum.
- James Swain, Undergraduate Scholastic Affairs Committee Chair
  - We owe three and will have those next meeting.
- Mike Banish, President
  - As the President pointed out, the campus has been directed by the Board of Trustees and the Chancellor's Office to hire a Title IX Director. Most of the schools in Utah are under federal investigation. We have been asked to recommend people to serve on the committee to hire for this person. We had a very good discussion on this position in the FSEC meeting. It was a concern that we have hired several administrative positions versus faculty positions.
    - Ramon – In the first place, I think administration has increased regardless of what the President says. Second place, I don't believe there aren't any positions here that can be used.

- Debra – I doubt there are. It requires someone with a law degree and the time to devote to the issues. There are a lot of things related to funding agencies that they need to know how to interpret these.
- Mike – What Ramon is saying is we are hiring someone over here, if we aren't going to have growth in administration why haven't we filled over here. There isn't much on the agenda for December 10<sup>th</sup>. There can be a bill that comes from the senate that says what we want to see. Having said that, we have had three people who have volunteered to serve on this committee. Can I have a motion to accept these names? Eric Seeman moves. Member wants to join the list. Eric Seeman moves to accept. Laird Burns seconds. Ayes carry. 2 abstain.
- There was a bill that was sent, I wrote this bill. We know that when we did collaborative learning, the number one reason they leave UAH is not they leave because they feel disconnected, it was financial issues. The other thing was I found that at Stanford University, if your family makes less than \$125K you go for free, if they make less than \$68K they go for free and live for free. This says that in 25 years, we will have enough capital campaign money we can give out 10K undergraduate scholarships a year. In five years, we will provide everyone a semesters worth of tuition. The bottom portion states that we will change our bylaws to ensure 50% of the committee to disburse the funds will be faculty members. They will be tenured faculty members of the committee.
  - Member – In nursing, you don't have that many tenured faculty that will have to be considered.
  - Mike – Hopefully, in 25 years they will or administration will be pressed to do this. I guess we don't have it if there isn't enough tenured faculty.
  - Harry – I wanted to get clear. A decision has been made to embark upon this campaign.
  - Mike – No, this is just what we want. It is just a sense of the senate. We want UAH to be noted for this. We encourage students to come here but their financial struggle is keeping them from finishing. I am sending out emails asking for homework assignments. The response is I am working too much to support myself through college.
  - Harry – My follow up is this isn't a bill proposing or supporting, it says if a campaign exists.
  - Mike – No, it says we will embark.
  - Harry – I am opposed to starting a campaign. Stanford has \$22B in their endowment. No one has ever raised a billion dollars for an institution in Alabama. We are already losing money from the state. If we lose tuition money, we won't have anything to support the university with. I think this is a dream. It is ill conceived.
  - Debra – When you say we will provide every accepted student a semester. There are issues with that. Capital campaigns are costly and have to be planned. The general rule of thumb is they have to half the money committed before you announce you are doing a campaign. You have advancement trying to get donors to give money already, how would they mesh together? Would it be better to work with advancement?
  - Mike – Bob can say no.

- Debra – I love the idea of taking academically solid performers students and help them complete. Not every student.
- Ramon – I think this is being misinterpreted. We don't really have an endowment, but this says we will have a capital campaign that is solely obligated to tuition, not buildings, positions, etc. I think this is commendable. I wouldn't accept every student but every qualified student.
- Kader – I was going to join Harry with the complaint. I think it is ambitious. Given the very small alumni base, when compared to Stanford, this could be impossible. They don't want a campaign to fail.
- Tim – I think the scale of this is way beyond what is possible at UAH. My alma mater started a \$300M campaign, they raised \$350M. They have ten times the alumni we do. They have legacy people who have been there. I think the scope of this is not conceivable to me. If you take the tuition number you showed earlier, we get \$70M a year in tuition. In five years, we owe \$35M. We owe this to those students enrolled. This would mean nonstop capital campaigns. The scope of this is beyond what UAH is capable of. I think this bill sets an impossible burden on the administration. Our priority is for tuition that is not my first priority. There are other things we need much more. We need a classroom building and dorm. If we continue to grow, the dorm on the books won't be enough. All the giving could be given here and these things go unfunded. I think we need to do more to beef up our graduate programs and fellowships. I would be onboard with a campaign that supported these areas.
- Carolyn – I want to applaud you for bringing light to this issue of giving. I have to also connect my thoughts to what Tim said. Ramon, keep in mind that I am appreciative to financial needs, these students have other needs. Our music facilities are in desperate needs. Alabama has beautiful music facilities. They are about to start another facility. We have already put out a fairly sexy tuition package and have increased ACT scores. I think from that standpoint, we are already putting a lot of energy into this area. I would like to see the faculty senate figure out what our priorities are.
- Carmen - I do applaud the bill for the content. I did have free education, but I am from another country. It touches upon a very sore area in this university within the advancement office. There are things that come into gift accounts and then magically disappear. I would like to turn this around and focus on existing giving practices.
- Mike – Before this is voted down, I want to say my thought is this, it is a lot of money and we advertise our students have number one incomes in the state. People give to Stanford because it is great, not because they want a music facility. That benefits it being a great university. We need a motion to pull this to the floor. Carmen Scholz moves. Laird Burns seconds. 1 in favor. 8 abstain. 16 opposed.
  - Ramon – It should be said that the spirit of the bill is good.
- James – Can we invite advancement to come and tell us what they are doing? I can't tell you anything about them.
  - Mike – We can do that. I might do it through a committee. Then come to a faculty senate meeting.

- Debra – There is very little done to court alumni to give to this university. We all get from our alma maters endlessly with a positive idea and message. I know some schools that when you graduate you sign to give a dollar.
  - Mike – I know several that are on scholarship and never write thank you notes. We did get noted that she gave money and no one knew where it was. I would suggest we get Bob Lyons to a committee. I don't know who would like to take that over as a committee.
  - Carmen – Can I do that as President-Elect?
  - Mike – Yes, alongside a committee.
  - Carmen – I have recently learned that if you are given money, you have to go through purchasing to buy with it.
- Kader Frendi motions to adjourn. Harry Delugach seconds. Ayes carry. Faculty Senate meeting 573 adjourned at 2:00 pm.