

FACULTY SENATE EXECUTIVE MEETING
November 14, 2019
12:50 P.M. BAB 103

Present: Laird Burns, Monica Dillihunt, Jeff Weimer, Mike Banish, Tim Newman, Lori Lioce, Carmen Scholz, Seyed Sadeghi, Carolyn Sanders, Laurel Bollinger

Ex-Officio: Provost Christine Curtis

Guest: President Darren Dawson, Todd Barre, Sandra Parton, Laurel Long

- **Faculty Senate President Laird Burns called the meeting to order at 12:51 pm.**
- **Meeting Review:**
 - **Chapter 5 passed first reading and voted to be placed on FS agenda.**
 - **Chapter 9 voted to be tabled.**
 - **Bill 437 and 438 passed first reading.**
- **Administrative Reports**
 - **Provost Christine Curtis**
 - The need for Pinopto to be 24/7 has been approved. It should be coming online shortly.
 - There are a couple of things I want you aware of. The Cybersecurity Program will become Cybersecurity Engineering. When the proposal went in, they didn't know what would be the appropriate program for it to go into. The request for change has been made. The faculty approved it. The changes will be that the charger foundations will change to 36 credit hours. That will allow for an additional Tech Elective and a second Capstone course. It will increase the technical side and meet requirements.
 - We received a NIST report.
 - Carmen – The NIST has been forwarded by the Chair.
 - I want to give an update on ACT score, it is 28.4. IPEDS required that you take the top of the sub scores. The ACT is allowing students to take test on specific sub test. We will have to start super scoring.
 - Mike- I thought they were going to readjust the composite. That is what we were told.
 - Provost - We have had two meetings with Legislative Services in term of funding. We have talked about metrics that we may be held accountable for. We have talked about different models. We are supposed to have a preliminary plan by January.
 - President Dawson – The facilities report we gave last time hasn't changed. The three VP searches are ongoing now. We hope to complete those by the end of the year.
 - Laird – Thank you both for the metrics issue. I understand there will be an outcome based system.
- **Guest from HR**
 - Laird – The issue we are having is we can't see the cost under high deductible pertaining to prescriptions, etc. Maybe we need to better understand the process.
 - Sandra – Our prescription drug program is Prime Therapeutics. BCBS determines how a drug is classified. The PPO has a \$150 copay. The high plan has to meet the deductible, \$1400 single, \$2800 family. Then 80% of the drug cost is covered. Prime

does analyze the formulary quarterly. A drug may be a preferred status and a generic come out. They may exclude a drug based on cost.

- Laird – Our question is how I can tell if my medicines will or won't be on that list. We have had examples of certain drugs costing \$2,000 and then receiving a generic not as effective.
- Mike – If they make quarterly changes to benefits, why can't we change plans?
- Sandra – IRS only allows a change once a year. The only other option to change is a family status change.
- Laird – I realize they change quarterly. I would suspect a small change. Are we able to look in advance before we make the decision?
- Sandra – You can go out and look at the net one list and use the cost estimator.
- Tim – The net cost doesn't factor in the prescription cost. It just uses last year's cost. It doesn't break it down for each drug. It doesn't show the drug tier and cost. If you try to run that to ground, no one will give you that information. Ultimately, the only way you can do it, is use a prescription and take it yourself to the pharmacy. I can get the cost for PPO but not the high deductible.
- Sandra – The changes aren't major changes. There are two changes in January. I asked for a list of how many that would affect and no one is affected. You are taking a true risk under the high deductible plan.
- Laird – They are good options for plans. We will do this again next year for the third time. How do we solve the fact of seeing our stable drug price?
- Lori – I received a letter that my drug is being removed. So I should be on the disrupted list.
- Mike – The issue is what the companies claim they are doing, they aren't. Lori is getting a letter and the report isn't reflecting that.
- Sandra – Let's confirm that her prescription is one that I asked about. They do send out the letter two months prior to the change so you can prepare.
- Laird – If I want to choose between a PPO and a high deductible plan, can I get a disruptive report?
- Sandra – The drug list is the same but it won't break out cost.
- Laird – Is there a way to get a letter to show what the drug cost change will be?
- Sandra – We will get with our representative and see what resources we have.
- Lori - Maybe we are asking for a FAQ sheet to give to our faculty.
- Laurel – There is an app, GoodRX that will show you a cost list.
- Tim – It won't tell you the cost if you use our insurance. I think last year we changed the pharmacy manager and the plans at the same time. I think only doing one at a time would be best.
- Mike – My insurance is not through UAH. I use a combination of GoodRX and insurance.
- Laurel – You can't combine the two.
- Sandra – About 11% went with high deductible. Last year was 140 and this year was 143.
- Monica – Some of the faculty in education want to know about short term disability in relation to faculty. Now it is left up to the Chair and Department to work it out. They felt forced to choose that option.
- Provost – Modified Duties is still in place. Lecturers aren't included in that so I asked for short term disability. It doesn't change the policy at all.
- Mike – How much do you interface with UAB and UA in regards to this?
- Sandra – We do quarterly meetings. UAB is a different animal because they have their own plan. They encourage their employees to take their plan.
- Lori – Can we join with them?
- Sandra – We could, but it is more expensive. It would limit providers.

- Mike – I have a supplemental insurance. That has been the best insurance.
- Sandra – It is a supplement to a high deductible plan?
- Mike – Yes.
- Todd – Please pass on concerns to us. It is part of our job to work with the system office. The ideas and concerns about what we have. Be sure your faculty representatives on the benefits committee bring these up to us. The system office has been changing their board rules. The reason you all received information regarding benefits late this year was because the system office. We have communicated that was an issue for us.
- Carmen – Where do you see our copay going? We are not above what the doctor charges, some are. I do know that the insurance makes money off those instances.
- Todd – We can ask our benefits representative to show models and help with that.
- Laird – We would like the representatives we have on the benefits committee to communicate back with us.
- Laurel – We had paperwork ready but we have to wait on the system office.
- Todd – We want to provide a clearer picture on how the authority works on our benefits. That would help everyone understand the moving parts.
- Laurel – We start looking at the plan around June.
- Lori – Is the benefits committee involved with that?
- Sandra – We report back to them.
- Tim – There was a published blackout period in which certain 403b plan funds (particularly those moving from VALIC to TIAA) were frozen. That period was longer than it seems it needed to be in the current day and age in which most financial firms are able to achieve transfers in a matter of hours or day. Regardless, after the blackout period ended, TIAA moved monies that were in mutual funds in GRA or RA contracts. All of those movements should have also taken place during the blackout period. It was strange for VALIC monies to finally appear at TIAA the evening of Oct. 23 - basically the last moment in the blackout period they could have appeared - and then 5 days later on the 30th, after the blackout period had ended, for VALIC-transferred mutual fund monies as well as TIAA GRA and TIAA RA mutual fund monies to then suddenly move to the TIAA RC contract.
- Sandra – It wasn't dictated by the system office. They do quarterly reviews of our plans. TIA did a RFI and it made sense to change. The blackout period was long but when you get file data like that it has to be clean. It sounds simple but there are a lot of parts.
- Tim – The blackout period for the month but then all the money started moving again. The system has the right to disable who we select as a beneficiary. If you have a family change, that isn't good.
- Todd – We can look into protections that may have been lost.

➤ **Officer/Committee Reports**

○ Laird Burns, President

- Tim and I met with the President and Provost. We are trying to improve the shared governance aspect. We had a conversation about making committees active. There is an issue that came up and I asked the Provost. In the college of science they are doing a performance metrics.
- Jeff – We, the tenured faculty in the Chemistry Department, hereby strongly protest the recent implementation of a point system by the administration, ostensibly as a means to evaluate our performance in teaching, research, and service. First, the point system was instituted without respect to and indeed almost blatantly in spite of the spirit and intent of shared governance. No notice was given to us about the nature or extent of the underlying problem that was to be addressed. Little or no direct feedback was solicited from us to engage in collaborative discussions on the reasons for implementing the

system. No opportunity was provided for us to validate and subsequently have a positive commitment to help address the problems that are supposedly to be solved by use of the point system. Secondly, the point system was applied without any opportunity for us to review or appeal our scores. We were told what the scores would be, we were told what our rank was based on the scores, and we were told our rankings had been submitted. The system was applied unilaterally and without due process for us to approve or dissent. Thirdly, implementation of the point system may be in violation of the Faculty Handbook, wherein the methods to be used to evaluate faculty performance are spelled out explicitly. They involve a Faculty Activity Report (FAR). The contents of the FAR and the methods by which faculty are to submit, review, and appeal the FAR are unambiguously documented. The procedures therein provide no rationale to support an additional system to rank, evaluate, or obtain merit information about faculty performance. The administration has at times insisted, rightly or not, that the Faculty Handbook is a contract. Yet here, they have apparently failed to follow it as such. Finally, the scores used in the point system may be in violation of our employment contracts. For example, some faculty were hired under a contract that specified they are to hold a balance of 40% teaching, 40% research, and 20% service. This is directly counter to the weighting used on the point system with 60% teaching, 30% research, and 10% service. The liberties that the administration may think that they have to change the terms of an employment contract in any manner and for any reason do not permit such actions to be carried out unilaterally. Faculty have full right to be afforded all opportunities to participate in any and all changes that are proposed to

be made to their employment contracts. Even when the considerations may ultimately not change the terms of our contracts, we have the right to know and debate about whether they do or do not.

In summary, the point system was initiated with no sign of respect for shared governance. It was applied with no respect for the process of merit review. It may be in violation of the Faculty Handbook, and it may also be in violation of the terms of if not also the process whereby our employment contracts have been established and are to be re-negotiated. We are left to believe that the point system was instituted for no other reason than a desire to establish a punishment system; it was certainly not established as resource to improve our ability to fulfill our missions or to improve how we may help the administration in our shared goals to recruit, retain, and graduate students successfully.

We recognize that gross disparities may exist in the levels of teaching, research, and service within departments, throughout the Colleges, and across the university. We are willing to engage the administration to help in addressing those disparities to the best of our abilities and within the confines of our limited resources. The administration has loudly proclaimed a renewed interest to engage with faculty in bottom-up strategic planning. However, by taking the unilateral action of implementing a point system for merit ranking, they have lost our confidence in the sincerity of any such statements. Such proclamations have become hollow words.

As the next step to regain our trust, we insist that the administration must remove all statistics that they have gathered on us and on the other departments using the point system. No further reference is to be made to them for any future purposes.

We await further a composed reply from the administration.

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- Mike – Tim, I don't think that Jeff can do it as a member of the chemistry department.
- Tim – Laird recognized him.
- Jeff – I will read the first paragraph and third from last only. I wish we wait for a replied from administration. I ask that the reply be given at the Faculty Senate meeting.
- Laird – I think that is fair to give the administration time to respond. We invite you to take time to address this.
- Lori – They put a point system in place that affects your merit rating?
- Jeff – We don't really know.
- Carmen – We have received a metric on what activities give certain points.
- Laird – Retention didn't have many points, so that encourages to not retain students.
- Seyed – I don't know if the ranking is global in the college or just departmental.
- Carmen – I think it is departmental.
- Monica – Who came up with the point system?
- Laird – My information was that it was pushed down but we don't know from whom.
- Carmen – Some activities like dealing with non-thesis graduate students isn't there. We choose a lot of time with them if we choose.

- Laird – Thank you for raising the issue and I thank administration for pulling the veil on this.
 - Another question arose with our promotion and tenure process in the College of Business. There is a request to promote someone from a senior lecturer position to a Clinical Associate Professor, without going through the processes outlined in the Faculty Handbook and UAH Policy 022.01.06 (January 2003). I believe that position should have gone through the open announcement process. While, in my review of the handbook and the policy, I do not think the process being followed is correct, I am asking the Personnel Committee to review this for proper or improper process according to procedure.
 - We also received an invitation to attend UAH-wide slow forward movement toward digital accessibility compliance. I don't really know what this is.
 - Lori – Does this fall under curriculum committee?
 - Laird- I think that would be good. I will try to get more clarification. We want to be involved in course content and ADA requirements.
 - We have an invitation from the staff senate. We are invited to work on the faculty staff clinic to increase funding.
 - Lori – This is the staff resolution. They want us to mirror a faculty resolution. We want to make a joint effort. They provided a chart to show lost productivity for a faculty member to go to outside clinics. I think they are wanting to bring in a full time RN and two NP's.
 - Laird – I don't have an issue with the joint resolution.
 - Mike – I wouldn't mind to just copy this.
 - Monica – Yes, if we agree.
 - Tim – You will have to get the complete language and passed first reading here. You can submit it as an emergency bill, but someone will probably object that.
 - Laird – We will wait to present this next month.
 - Tim – We could task faculty and student development to work this up and have it ready.
 - Seyed – Yes, I think that works for us and relates to our work.
- Mike Banish, Past President
 - Last time after we were done with the discussion about the student who was sick. I think we need to ask why we charge students when they are truly sick for health services. I can understand charging for a physical. Maybe the committee can think about that too.
 - Lori – If we did provide 10K students free health care that is a large expense.
 - Monica, have you ever heard of a grandmother bench? This man created this for those who have mental health issues due to health issues. It basically is grandmothers that come in and listen to offer advice.
- Mike Banish, Personnel Committee Chair
 - We have chapter 5 and 9. I have our Associate VP of Facilities thoughts on parking.
 - Tim – Do we want to move adoption for this for agenda? Tim seconds.
 - Tim – I just saw a spelling error in 5.3.1.
 - Laurel – I would check "its".
 - Tim – We would like to amend this to fix "principle" and "its". I move this amendment. Mike seconds. Ayes carry.

- Laird – Move to place on agenda. Mike seconds. Ayes carry.
 - Chapter 9:
 - Mike – Move to adopt Chapter 9. Member seconds.
 - Tim – On page 3, middle page, spelling error. 9.12.3 – first line of page 14, “thrids” to “thirds”. End of that paragraph, say “faculty should refer”. 9.17.11 – page 20, please should change to “readers should”. 9.17.17, strike for to additional and look to can be found. I move to amend with those changes. Jeff seconds. Ayes carry.
 - Tim – The other comments are substantive. First paragraph of 9.1, talks about nine month pay option. It states deductions are equally distributed over 12 months in that statement. Is that correct?
 - Provost – That is my understanding.
 - Laird – Change to the respective 9 or 12 months.
 - Tim – I move that amendment. Mike seconds. Ayes carry.
 - Tim – Section 9.3 on consulting. I think the wording is if my child is doing this, I have to report. I am thinking the intention is if I consult and I get compensation for my child being hired. I think at the end of line one, I think it means by the faculty member. I would like to insert that. We want to prevent my going to Raytheon, and saying don’t pay me, pay my child.
 - Mike – My intent of that is language that came down to us.
 - Tim – I motion on line two for services, to change by faculty member, and remove the comma.
 - Lori – I think you are making a big loophole.
 - Jeff – Motion to extend ten minutes. Ayes carry.
 - Mike – You need to clarify the definition of family.
 - Tim – My motion is by faculty member, either remove, comma family member, stricken and replace or by family member.
 - Mike – Your vocation is a nurse for the university. You can’t argue that you are only a professor.
 - Jeff – I understood consulting as the university wanted to track it as university resources.
 - Mike – I motion to table chapter 9. Jeff seconds. I move for first reading for 437 and 438.
 - Tim – There is an error on 438. It needs to be amended. I motion that. Jeff seconds. Ayes carry.
 - Laird – All in favor of agenda. Ayes carry.
 - Lori – I gave a draft of the bylaws for the December meeting.
- Meeting adjourned at 2:21 pm.

