
FACULTY SENATE EXECUTIVE MEETING
September 13, 2017
12:50 P.M. in CTC 104

Present: Carmen Scholz, Kader Frendi, Mike Banish, Laird Burns, Shannon Mathis, Anne Marie Choup, Monica Dillihunt, David Johnson, Tim Newman, David Stewart

- Faculty Senate President Carmen Scholz called the meeting to order at 12:51 pm.
- **Meeting Review:**
 - Bill 414 passed first reading.
 - Bill 411 passed first reading.
 - Bill 412 passed first reading.
 - Bill 413 passed first reading.
 - Nepotism Policy placed on agenda for faculty senate meeting 581 to be requested to be untabled.
 - Bicycle Policy placed on agenda for faculty senate meeting 581.
 - Over Time and Call Back for Non Exempt Employees Policies were declared non-governance.
- **Officer/Committee Reports**
 - Mike Banish, President-Elect
 - We have three bills and a couple of policies that we will bring forward. Remind your committees about the VP for Finance candidates are posted on myuuh. There is a session for faculty to go to and meet the candidates.
 - Tim Newman, Parliamentarian
 - We had a meeting with OIT about the IT Policies. We went over the things that came up in the senate. One being applied to personal devices, I expressed that we didn't want to run certain systems on our devices. Also, large scale, the research computers; if you have computers that access a censor, track human movement, using it to drive a spectrometer, all these policies applies. I expressed they were a burden. The problem will be with OIT expecting us to come up with revisions to their policies. I think they should do this.
 - Laird – Who was there?
 - Tim – Malcolm Rice, Russ Ward, Provost, Carmen, and Jacob Heerikhuisen.
 - Carmen – The Provost made it clear she doesn't want language from us, just listed issues. Then they need to come up with the verbiage.
 - Kader – These are the same we addressed before?
 - Tim – Yes, no changes. We just addressed some issues that were brought up. They are also considering combining policies.
 - Laird – We have a habit of having students employed for network support, which is fine. Then you realize you have foreign nationals that now have access to backups to faculty computers doing sensitive, not classified, research. We also have a policy that says if we witness some form of sexual harassment and we have emails with that specific individual, they come and

image our hard drives. They have no protection whatsoever with what happens to our research. The image goes into the legal world with no protection. I have raised this question to legal before and the answer is those of us doing that kind of research can go to prison for releasing that kind of information. We don't want to go to jail. I think they should address when they need that kind of information off of someone's computer. The protection does not exist.

- Carmen – The issue accrued after the shooting and our hard drives were mirrored due to interactions with her. Where did it go?
- Anne Marie – How often does this happen?
- Mike – Doesn't matter.
- Anne – Has it happened since?
- Laird – There has been sexual harassment cases on campus. If legal thinks they need the information, they image.
- Tim – I have a related concern. There is a stipulation if you are not available and your superior believes there is UAH data on that device, they can release it. If your Chair thinks there is data on your device in your office, they can release that even if there is personal information. There are a lot of opportunities for disclosure.
- Carmen - Do you want to add this concern of mirroring hard drives for whatever reason?
- Tim – Yes.
- Mike – It isn't just for our personal data. We have student data on these computers and releasing it to someone outside.
- Laird – John Cates will make the call.
- Mike – Your understanding that will be reported to faculty senate from the Provost is OIT will come up with the modified language?
- Carmen – Yes, the ball is in their court. The list of concerns will be created and submitted to OIT and they will come up with the language.
- Kader Frendi, Ombudsperson
 - No Report.
- Shannon Mathis, Proxy for Christina Carmen, Governance and Operations Committee Chair
 - We are still waiting for a reply from Taylor Meyers regarding the additional faculty senator that will join sustainability committee.
 - Carmen – Have you ever heard from him? No, need to run him down.
 - Shannon – Also, waiting to hear from Joy with the University Committee list.
- David Stewart, Personnel Committee Chair
 - No Report.
- Anne Marie Choup, Undergraduate Curriculum Committee Chair
 - We received 14 course revisions that we will go over.
- Laird Burns, Finance and Resources Committee Chair
 - One of the improvements with the RCEU process is when the faculty wrote up a project, the students applied, it was manually tracked. We talked with Charger Path and we can set it up as a position like a job opening. It will automatically track and set up transcripts.

- Carmen – A student applies then the application and transcripts are funneled to this position?
 - Laird – Yes, it is like an internship essentially.
 - Carmen – Everything that was uploaded manually will be done automatically.
 - Laird – Yes, we are trying to speed up the process. We are going to test it.
- Monica Dillihunt, Undergraduate Scholastic Affairs Committee Chair
 - No Report.
- David Johnson, Faculty and Student Development Committee Chair
 - No Report.
- Carmen - I was approached by Jill Casey to have time to introduce the Women’s Club. Do we grant her five minutes?
 - Laird – Do they keep it to five minutes? Can we limit it to five minutes?
 - Carmen – Do I have a motion? Tim moves. All in favor. Ayes carry.
- Carmen - Another comes from Karen Frith about Faculty 180.
 - Monica – I think this will be more than five minutes.
 - Laird – Are they going to send material in advance?
 - Carmen – Same issue as Women’s Club.
 - Laird – Given that faculty have had a lot of issues with digital measures, this could take a lot longer.
 - Tim – Can you tell her that she has three to five minutes and if there are questions they go to David’s committee? My hope is that there aren’t a lot of complaint questions. We spent a whole year collecting the complaints. Do we want to pass out the report my committee produced, its fifty pages? If someone is really interested in the problems, I think it is well documented.
 - Mike – Carmen can say that we aren’t talking about digital measures; we are just introducing Faculty 180.
 - Carmen – Can I have a motion? Mike moves that she has five minutes and David J. committee will have a meeting on it, and the report will be released.
 - Laird – Can you send the report out?
 - Tim – Yes, I think that will be fine.
 - Carmen – We have a motion. All in favor. Ayes carry.
- Carmen – The handbook committee needs to be reconstituted.
 - Tim – I have three yeses including myself.
 - Mike – I would like to be on it.
 - Kader – I didn’t turn you down, I would like to be on it.
 - Tim – Our plan is going to be to tackle Chapter 5. I don’t know if we will get anywhere on 4 & 6. It is important that this committee be ready if Chapter 7 comes back.
 - Kader – I thought we got the bylaws back?
 - Tim – That was a no on those. They want lecturers on the senate.
 - Kader – Do they go to BOT’s for approval?
 - Tim – We will talk about chapter 5 and bylaws.
- Carmen – There was a request to have a copy of the handbook generated.
 - Mike – I think all faculty senators should have a copy.
 - Carmen – That is getting high.

- Tim – No, it shouldn't be that expensive. I want a hard copy so that it can't be changed.
- Kader - We are afraid that the copy online can be changed without our knowledge.
- Carmen – I think it is good to have backups.
- David S. – I agree.
- Mike – One for every faculty senator is my take.
- Kader – I think it is important and we need to do this.
- Tim – We had a huge amount of unspent funds in the faculty senate budget. There should be a lot of money. Even if there is travel, there are leftover funds.
- Kader – I move to have the faculty handbook printed for all senators.
- Carmen – In favor? Ayes carry.
- Tim – I have a suggestion to add to the minutes the process of policies be added to the minutes.
- Carmen – On our webpage there are policies hanging around. There are some that I don't know where they are, or even if they belong. I picked the Over Time, On-Call, and Bicycle Policies.
 - Mike – We declared them non-governance.
 - Carmen – Why are they on the page?
 - Mike – Because we didn't really have comments back. The website is a log also so you don't have to read the minutes. Historically, we can say the senate says declared non-governance.
 - Carmen – It remains on the website. I asked Lauren to change the website. I want to reduce the load on the under consideration list.
 - Kader – Move them to completed and say non-governance.
 - Tim – On bicycle, I have some memory that there was some discussion on the senate floor on that. I also thought Bob moved back the bicycle policy. Is this the original one?
 - Monica – I thought we finished with the bicycle policy.
 - Mike – There was a report on it. The concern was the UAH policy didn't match the city laws. There was a subcommittee that was supposed to get together – Joe and Roy.
 - Kader – I think Roy had the most comments.
 - Monica – Yes, Roy did.
 - Laird – The police would give tickets if you were in the UAH policy because that is what the law says.
 - Monica – It was supposed to go back and it was merged with the parking study.
 - Mike – The fact is that it is enforced and the bicycles have to be stickered. My suggestion to Bob was how we deal with bicycles parked on campus, should they be registered and where they can be ridden.
 - Carmen – He has a bicycle policy up on his page.
 - Kader – It is listed as interim.
 - Carmen – It isn't listed as interim.
 - Kader – He is starting to enforce the policy on policies. If we don't review them in the time stated, he is moving them forward.
 - Tim – There is an official policy on his website?
 - Carmen – Yes, it is identical to our policy that I sent.
 - Kader – It isn't interim, he made it official. His reasoning was the students needed to know by fall semester.

- Tim – You think he went ahead with the policy without the senate finalizing?
- Kader - Yes, he mentioned we didn't meet the time frame to respond.
- Anne – What is the time?
- Kader – Thirty days. We can ask for an extension. If we don't, he will move forward with them.
- Anne – All our policies are old except patent.
- Carmen – I am talking about three including bicycle.
- Kader – We can always ask to review a policy.
- Carmen – Are there issues to be discussed or can it be declared non-governance?
- Mike – I don't think this would be declared non-governance.
- Tim – I think we should follow the process or place it on the senate agenda. I think there would be comments.
- Carmen – You want to discuss the policy next Thursday?
- Tim – I don't want to discuss the policy, but I think we need to bring it before the senate.
- Laird – Do we have questions on the current policy?
- Tim- I think the senate should weigh in.
- Laird – It has been more than thirty days.
- Carmen – You expect someone to have comments?
- Tim – Yes.
- Carmen – Do we have a motion to put bicycle on next week's agenda? Kader moves. Tim seconds. All in favor. Is there agreement that the others can be declared non-governance?
- Mike- Yes, they are done with.
- Tim – If the Provost hasn't been communicated with, she needs to know.
- Carmen- I will communicate with the Provost.
- Carmen – I want to discuss Nepotism Policy. What do we do since it was tabled?
 - Tim – We have to have a motion from the senate to untable the policy. We can't here.
 - Carmen – We will ask Thursday that it comes back. Last time Biology had issues with the policy.
- Carmen - The hard ones are patent, copyright, and intellectual property. They all fall in the same category. The issue here that Mike recognized is it is sort of discussed in the handbook. We need to make sure that the wording in the policies are reflected the same in the handbook.
 - Mike – In the packet you have Bill 411 and 412. The history of this is the senate wasn't doing anything with appendices G & H, the administration came up with the patent and intellectual property proceeds policy. Our appendices G & H haven't been looked at in decades. I was assured more than once that the copyright and patent policies posted on the UA and UAB websites were vetted by the BOT and system lawyers. Having looked at them, they are very favorable to faculty and staff. Carmen and I met with the Provost and asked why are we doing the policies? She didn't know why we are doing these. You have two bills in this packet. These policies are taking off the UA website and UAH substituted in. You have two front pages for each of these bills because Tim made a response back on the second "be it resolved." This will be an additional one added.
 - Laird – If we put this in place and the board changes rule 509, this states that is then in place?

- Mike – Correct, we can't go against the board rule. We don't even need these policies because of that.
- Carmen – You are saying that Appendix G includes patent policy.
- Tim – We have to handle this very carefully. Bob is going to say it has been thirty days.
- Mike – The patent policy can't overrule the handbook.
- Tim – Does the patent policy duplicate the handbook language or is it elaborations?
- Mike – They are elaborations.
- Tim – I haven't read your proposed Appendix G. It seems it is fine.
- Mike- There is stuff that is in 509 and it isn't needed there. It becomes a confusion point.
- Tim – Do you want them to withdraw them?
- Mike – Yes.
- Tim – We need to present an action. Even if we vote that way, I think it won't hold. I think you will need a senate vote.
- Carmen – The President's patent policy on his page doesn't say interim. He took board rule apart. It is the exact same. The President's patent policy is board rule 509. If we put patent policy in the handbook, we don't need the policy. How do we convey that?
- Tim – As a rule of order, Bob's policy is out of order. No individual can single handedly change the handbook. This hasn't been acted upon by this body and this policy is out of order. It needs to be communicated very strongly.
- Kader – Here is the fear we have. They are taking a part our handbook and putting it in policies. Why can't they work on the appendices and give it back to us? The policies are out of order. They tried to do it with Titles of Faculty. It was taken out of handbook. They do this because policies are easy to change, the handbook isn't.
- Monica – If we don't send them back quick enough, they just implement them.
- Kader – That is why we want them printed to protect future faculty.
- Mike – I would like to motion that we vote on faculty senate bill 411 and 412.
- Carmen – 411 refers to patent.
- Mike – 411 refers to patent and 412 to copyright. These are the appendices. What got passed at Alabama is very favorable to faculty.
- Tim- In your senate bill 411, there is a royalty schedule. I don't see this in the policy.
- Mike – It is part of the distribution of intellectual property income.
- Tim – I haven't looked at Appendix G in a long time. Is there mention of royalties?
- Carmen – We have a suggested one that is favorable.
- Tim – I have had two faculty members come to me and suggest that this schedule isn't a good one. They claim it is less favorable than the first one.

- Carmen – The old one is unfavorable to us. This one is much better to us. What is the plan? Put the two bills on the agenda and try to revoke two policies?
 - Mike – I need to make an addendum.
 - Tim – Can you number the policies?
 - Mike – Yes. Under 412, I need to put it includes 07.03.03. I motioned, is there a second? Motion for 411 and 412 to be placed on the agenda. This will be first reading. Kader seconds.
 - Tim – When they put these policies together, they did a deep dive into memos over the years. I think they enumerated a policy number. That then was the memo that started Appendix G.
 - Kader – Let’s make Appendices G and H up to date and stop making policies.
 - Monica – I move that Kader says that at the faculty senate meeting to stop adding policies.
 - Mike – Monica is saying make an emergency bill to stop making policies until they get serious about making the policy.
 - Monica – We are spinning our wheels doing this and not covering senate business that is important.
 - Mike – For the patent and copyright policy it wasn’t until they came up with new policies that we decided to look at the appendices.
 - Monica – The consensus from the senate is they don’t want to do the handbook, these policies are instead.
 - Mike – We have a motion and second.
 - Carmen – All in favor. Ayes carry.
- Mike – The Provost putting into a place a policy for signature authority caused some uproar. She set some of the limits set were too low. I don’t have any problems with bill 413. I motion to accept that it goes to agenda.
 - Monica – When we went through this last year, did we not catch this? Or was this changed?
 - Tim – We changed their \$1K to \$5K. There was a lot of back and forth, but it passed. When they sent their letter back, they only accepted two changes of the three. The one they didn’t was the \$5K.
 - Monica – My question is since they rejected it and sent the email, what is going to make the bill enforced?
 - Carmen – They can send it back.
 - Monica – We didn’t discuss computer. The only example was given was the office chair and flights. The response wasn’t in response to anything discusses. I am asking the question because we can spend more time on this and they reject it again. Will the bill supersede the policy?
 - Tim – No, it will change the policy.
 - Carmen – I think they will turn it down. We can pass the bill and send it up the chain; they can reject it or accept it. Is there a second? Kader seconds.
 - Laird – Maybe the “whereas” needs to match the equipment policy.
 - Tim – Ok, let’s add that.
 - Mike – You can have another whereas.
 - Tim – Laird, did you amend the initial motion?
 - Laird – Yes.

- Tim – I second the amendment.
 - Carmen –All in favor of Bill 413 with amendments. Ayes carry. Passes first reading.
 - Monica – Can we have an emergency bill 414 for not having any more policies?
 - Carmen – Does that have to come from the floor of the meeting?
 - Tim – Yes.
 - Mike – We have to have 2/3 or 60% for emergency bills.
 - Monica – Ok, I will bring it up when I write it out.
 - Carmen – This can come out of this meeting?
 - Kader – Motion to extend five minutes?” Tim seconds.
 - Tim – We can write it right now and pass first reading, or after all business it can be brought up with 2/3 majority and five minutes to discuss.
 - Mike – Therefore be it resolved that no more policies be produced or submitted that mimic, duplicate, amend, or replace any section(s) of the faculty handbook. Whereas, the faculty handbook is the governing document for faculty life.
 - Kader- Whereas the faculty senate is engaged in the reviewing and revising of the faculty handbook.
 - Mike – We will call that Bill 414. I motion that we accept bill 414. Laird seconds.
 - Anne – This is directed to the administration correct? We want to keep the passive language? Keep the word mimic?
 - Carmen – Yes. All in favor of bill 414. Ayes carry.
- Carmen – Motion to set agenda as discussed. Jill Casey and Karen Frith, Bill 414, Bill 411, Bill 412, Bill 413, Nepotism Policy, and Bicycle Policy. Ayes carry,
- Motion to adjourn. Ayes carry. Meeting adjourned at 2:30 p.m.