

FACULTY SENATE

MEETING #598 AGENDA

SST 103

THURSDAY, April 18, 2019

12:50 PM to 2:20 PM

Call to Order

- 1. Approve Faculty Senate Meeting #597 Minutes from March 28, 2019**
- 2. Accept FSEC Report from April 11, 2019**
- 3. Administrative Reports**
- 4. Officer and Committee Reports**
 - **Bylaws.**
 - **Academic Misconduct Policy**
 - **Committee Members/Chairs**
- 5. Miscellaneous/Additional business**

Adjourn

Proxies for Senate meetings must be a Senate-eligible individual from the same academic unit. No individual may carry more than one proxy.

PLEASE SEND PROXIES TO LAUREN BAKER: facsen@uah.edu

FACULTY SENATE EXECUTIVE MEETING

**April 11, 2019
12:50 P.M. ENG 117**

Present: Christina Carmen, Laird Burns, Monica Dillihunt, Carmen Scholz, Jeff Weimer, Mike Banish, Tim Newman, Gang Wang, Vladimir Florinski, Lori Lioce, David Johnson,

- Faculty Senate President Mike Banish called the meeting to order at 12:58 pm.
- **Meeting Review:**
- **Officer/Committee Reports**
 - Mike Banish, President
 - There are no administrative reports. The President and Provost are with the board of trustees today.
 - The Provost sent us the Academic Misconduct Policy. We will come back to this later.
 - The other thing I asked you all to look at was the Provost sent some information about retention. I did look at some of the websites. The problem is the real document is hidden behind a password.
 - Laird – External or internal links?
 - Mike – I sent that out March 29th. I tried to get into several and wrote her back for the passwords. The abstracts do give interesting ideas. If we can get the password, I think we should start looking at these.
 - I also sent out the response about Chapter 5 as to why it took so long. I don't have any comments about it. My thoughts with the standing order, we will deal with this with the new President.
 - We have the Board of Trustees meeting tomorrow. Anyone want to attend lunch with us tomorrow?
 - I have received responses back about having a sit down with Dr. Dawson. This will happen Wednesday the 24th, 11:15 – 12:30. It will take place in SSB 301C. I would like to set an agenda.
 - Carmen – I would like to add the handbook.
 - Mike – We have a set of items we want to address, but I will take some input.
 - Laird – I would recommend we enforce our time limits on each topic.
 - Monica – I want to know his view on diversity and his plan.
 - Laird – We do want this to be a welcome but address some issues. We don't want to complain the whole time.
 - Lori – Maybe bring up some of our accomplishments.
 - Jeff - We are a representation of our faculty. We need to let him know things that we are proud of and want to see sustained.
 - Mike – I think that you need to bring up RCEU. It is faculty led.

- Monica – I don't want to say what we don't have. From the standpoint of diversity, I want to know his views.
- Laird – Mike has met him before. I have some detailed emails with him. He is very engaging. I have let him know we want to collaborate with him.
- Mike – When I opened up my notebook after he was announced. I had written "stellar" by his name. My fear was that I wouldn't listen to anyone else after Monday because he was so good. He is a doer, engages, listens, and thinks through things. I gave him the example of us falling on the list. I asked how you are going to get us back. He went through them and addressed there were problems. Then he also said that he didn't understand how some ratings were.
- Monica – I know once the announcement came out there was buzz around the campus that we never got to meet him. Hearing you say that, you're probably the second or third person say this candidate was high on their list. I think it would be helpful to the faculty to let them know he was a good candidate. Maybe that can be a statement addressed to the faculty that he wasn't on campus and didn't get to meet. You saying that helped check off a concern of mine.
- Mike – I did push for his first visit here, but we didn't get it. Coming back, someone thought it was important for him to meet faculty. As this goes through, every representative among the campus should meet him. Lori was on the big committee. I think the search firm did some initial checking. During the committee, I considered that Ron Gray put this committee together in an interesting way.
- Jeff – In that framework of informing the faculty and trying to ease the discontent, I might propose that you as Faculty Senate President and member of the committee, put together a memo stating the committee was effective and worked in an ethical process. Also state that we are fully supportive of the elective process. I think you should bring that in at the faculty senate meeting. I think it would be much appreciated. It would then be record in the minutes.
- Monica – I think that would be helpful.
- David – We had an idea that something was going on, but so many didn't have a clue. They thought a Chancellor would be named first.
- Lori – There was an email that came back that stated the process had changed.
- David – Dr. Altenkirch was named a finalist and then came to campus. Then the process has changed.
- Carmen – I encourage you to do what Monica and Jeff suggest. I think it lets the board know that this wasn't appreciated.
- Lori – It was made very clear that the board of trustees select the President.
- Carmen – It is a breakdown of shared governance.
- Lori – They haven't cut us out completely with us having representation with our Faculty Senate President. I hate to always slap their hands.
- Tim – If we are a constitutional body, we need to behave like one and be more open. I know of no other public board that isn't accountable to anyone. They are not accountable to the Governor. I am really

disappointed in this. Each search there has been less public involvement than the one before. During the William's search, there were two that came on campus. I let him know that faculty expected to meet the candidate. This is strange to me. The Chancellor or anyone from the system office did not come and speak to faculty focus groups. I don't understand the step back. I think the bottom line is the board doesn't want to engage in meaningful shared governance. Every time we have a President, the authority can be spent in disadvantageous ways.

- Mike – When we finally meet with him, I think the opinion can be put forward. If he is as smart as I think he is, I don't think that will be a surprising statement to him.
- Lori – The board changed the process. He may have wanted to meet with faculty.
- Monica – This wasn't his fault. We don't want the faculty to resent him. I think we can start building a relationship to work together.
- David – I think there is a way to make a statement of the dissatisfaction but not with him.
- Carmen – This isn't with him but with the board.
- Lori – Maybe we write a letter to the board. We did ask the faculty to list characteristics we want. We did look over those.
- Monica – Those things you are saying were questions to us. We didn't know they really happened.
- Tim – I am not blaming either of you, Mike and Lori.
- Monica - I think we would have a total different conversation if you all stated that he was the last on your list, but that wasn't the case.
- Christina – When you came on to the committee, were you informed of the new process?
- Mike – Yes, we were told upfront.
- Christina – Were you under the nondisclosure to state that?
- Lori – We could tell that but nothing after. Maybe we should have made that clear to the senate so they could share that to their department.
- Christina – When did the process change? Was it documented?
- Lori – I just remember them telling us at the meeting. They want to streamline policies among the three of us. I understand the bigger vision, but I don't know how it rolled out.
- Monica – It sounds like we are moving into that UT process.
- Laird – They are going to have some kind of engagement with the President and the faculty. Are there some preferences to this?
- Mike – I think that is a discussion we have on the 24th. We can ask what his opinion is.
- Lori – Maybe we ask his vision for working with the faculty. He may have all this planned and is being proactive.
- Jeff – I would ask that we keep all this discussion about the board out of that meeting.
- Carmen – It has nothing to do with the new President, but our leadership.
- Laird Burns, President Elect
 - No report.

- Carmen Scholz, Past President
 - No report.
- Tim Newman, Parliamentarian
 - No report.
- Christina Carmen, Ombudsperson
 - No report.
- Gang Wang, Undergraduate Curriculum Committee Chair
 - We finished a lot of changes. We have a few we are reviewing now.
- Jeff Weimer, Finance and Resource Committee Chair
 - The students now have to go through a background check.
 - Laird – That process was supposed to be fixed when I was Chair.
- David Johnson, Faculty and Student Development Committee Chair – All but five departments have returned the surveys. They are due tomorrow. I sent out a reminder this morning and another tomorrow.
- Monica Dillihunt, Undergraduate Scholastic Affairs Committee Chair
 - No report.
- Vladimir Florinski, Personnel Committee Chair
 - We reviewed the Telecommunications Policy. I will send a version to you later today. I have some corrections.
 - Mike – Is it okay enough to add to the agenda? Who else was supposed to look at this policy?
 - Jeff – Maybe my committee?
- Lori Lioce, Governance and Operations Committee Chair
 - I have been working to see if we have the right number of representatives. It took a while to find out how many senators we should have. I have asked for counts by department.
 - Tim – Is this counting nontenured?
 - Lori – It does. The bylaws state that some of the nontenured count in this.
 - Tim – You can't do that.
 - Lori – We are trying to get an accurate count with the bylaws. We need clarifications with this. Every department is different. I would like for us to look at this.
 - Tim – You want full time tenured, tenure track, clinical, or research. You then divide by seven. That is how you get your number. Some departments won't meet their number being a small department. Clinical and research are not tenure track.
 - Monica – We have clinical that are tenured and nontenured.
 - Tim – That is out of order.
 - Monica – The University does, because in nursing.
 - Mike – What do we do about business?
 - Tim – Their rep numbers are correct.
 - Mike – As far as elections, what do we do about them? They aren't departments anymore?
 - Tim – They are two departments. You get the numbers for units, then go to college and do the same. If the unit is larger that is ok. Another thing when we vote for senators and officers, the lecturers do not vote, correct?
 - Mike – Yes.

- Mike – You should be able to tell us our nominations because the nominations are closed.
- Lori – Peggy will send out the ballot. For all fairness, are we supposed to announce it? Tim, is it always disclosed?
- Monica – I think we said who it was and called Peggy and she sent it out.
- Tim – That is an okay way to do it.
- Lori – Monica and Tim for President-Elect. Jason O'Brien, Elizabeth Barnby, and Carmen Scholz for Ombudsperson.
- Mike – Is Jason a seating senator? Or incoming? He cannot be on the ballot.
- Lori – I would like to move the President and President-Elect up and replace them on the attendance roster.
- Christina – When this ballot is sent out to the faculty eligible, I think it would be nice to have a bio statement and not just vote on names.
- Laird – I think you can invite them to do that.
- Lori – Sometimes it is a random checkmark.
- Mike – You can ask them to do a campaign statement.
- Lori – How do we handle permanent proxies?
- Mike – You should put him on the email list. We try to have a member from each college on each committee. In the College of Education, there are only two people. Monica has a permanent proxy that she informs these committee members. That is different than Vinny with David.
- Mike – Who has read the latest version on the bylaws?
- Lori – It just needs to be cleaned up a little.
- Mike – Do we want to have a link to the standing rule on the faculty senate page or the entire text? My thought is to post the entire text. What do you all think?
 - Jeff – What is the intent of the front page of the senate page? The faculty should be able to go there and see what they need to find. I am afraid it will clutter the page.
 - Lori – I know you want to put pressure on the administration.
 - David - I think that is the intent?
 - Mike – It was published under the old administration.
 - Lori – You also have a bunch of new senators coming in?
 - Jeff – I disagree. I don't think they need to see the whole thing.
 - Tim – I just think it needs to be somewhere prominent.
 - Christina – How long is it?
 - Tim – About a page.
 - Lori – What if you put it with the minutes?
 - Tim – My idea was this would be posted with passed resolutions.
 - Lori – Maybe put in parenthesis what standing order means.
- Mike – Academic Misconduct Policy. I would like to discuss that in the senate. I don't want to pass it out of here.
 - Tim – I have several issues but one is that Chapter 8 already addresses this. One concern is that we are setting up a parallel set of rules to the handbook.
 - Mike – I think we could declare that this policy is a mirror to Chapter 8 and we won't consider it.
 - Monica – Some of the processes and it was very reactive. We didn't have anything in place for them to legally move forward.

- Lori – Who would it go back to if we sent it back to be merged?
- Mike – It goes back to the Provost and we state that we have Chapter 8.
- Monica – This was students.
- Mike – Chapter 8 includes students.
- Monica – But not procedure. Is it handled in the handbook?
- Tim – The verbiage in the handbook is not in the policy. It basically says to handle your course.
- Monica – I may deal with plagiarism different if it wasn't intentional. There wasn't anything procedural wise listed. We tried to leave a lot of it in the hands of the faculty member.
- Christina – When a student goes into a classroom, that isn't associated with a particular professor.
- Mike – We are running parallel documents.
- Monica – Is that detail of the process in the handbook?
- Tim – I don't know the procedure needs to be in the handbook. The two need to be in harmony. I think another section of Chapter 8 should be brought forward. Do we want to have a statement that says refer to the policy? With the current system, an advantage we have is I can give a penalty and then file a complaint for an additional sanction. This policy doesn't seem to show that. There are parallel penalty tracks.
- Monica – It wasn't supposed to.
- Jeff – It seems to me the discussion is the faculty handbook is supposed to be set in stone. The policies are things we have the flexibility to change. We don't want things established in policies that can be changed on a whim. You can have something written in the handbook but procedures listed in policy that may need to change.
- Mike – The administration loves to put interim policies in place. Some of these things are so important that they need to be set in stone. Plagiarism and cheating needs to be set in stone. There is no reason not to. I see setting up an interim policy to show how to handle the most recent situation, but we work to match the handbook to that. The policies shouldn't be the primary document.
- Lori – What is the process?
- Mike – We will discuss it in faculty senate and my recommendation will be it represents a parallel to the handbook. The handbook needs to be revised first.
- Tim – We have tried to be proactive on that with an instructor policy. We have put a timeline on it and let it go as an interim policy.
- Mike – Modified Duties doesn't exist anymore, it expired.
- Christina – Having a deadline on these policies is a great idea.
- Tim – I think it needs some reworking. A revision to 8.32 should come at the same time. I also think Bob and Christine need to respond on 7 and 9.
- Mike – Also 5.
- Monica – We need something in place right away.

➤ Agenda for Faculty Senate Meeting:

- Bylaws.
- Committee Chair Elections.
- Discussion of Academic Misconduct Policy.
- All in favor. Ayes carry.

➤ Meeting adjourned at 2:45 pm.

FACULTY SENATE MEETING

**March 28, 2019
12:50 P.M. SST 103**

Present: Chris Allport, Milton Shen, Amy Guerin, David Johnson, Joe Conway, Andrei Gandila, Melody Ng, Deborah Heikes, Shuang Zhao, Christina Steidl, Mike Banish, Yu Lei, Seong-Moo Yoo, Fat Ho, Gabe Xu, Gang Wang, Christina Carmen, Angela Hollingsworth, Ron Bolen, Lori Lioce, Carmen Scholz, Harry Delugach, Tim Newman, SS Ravindran, Seyed Sadeghi, Vladimir Florinski, Paul Whitehead, Ron Schwertfeger, Jeff Weimer

Absent with Proxy: Holly Jones, Sherri Messimer, Francis Wessling, Elizabeth Barnby, Katherine Morrison, Monica Dillihunt

Absent without Proxy: Sophia Marinova, Kevin Bao, Dilcu Barnes, Jeff Neuschatz, Kirolos Harleem, Earl Wells, Jennifer Palmer, Robert Griffin, Thomas Sever, Eric Mendenhall, Robert McFeeters

Ex-Officio: Provost Christine Curtis

Guest: Dr. Charles Nash, Todd Barre

➤ Faculty Senate President Mike Banish called the meeting to order at 12:54 pm.

➤ **Meeting Review:**

- **Standing Rule Proposal passes.**
- **Bill 432 passes second and third reading unanimously.**
- **Bill 431 passes second and third reading unanimously.**
- **Bill 430 passes second and third reading unanimously.**

➤ **Dr. Charles Nash**

- Thank you for understanding why I wasn't able to attend the meeting in January. I was unable to attend the meeting due to a wreck on the interstate. I would like to talk for a little while and then see if you have any questions. I want to give perspective on where we are. I am meaning from a global perspective. College begins in kindergarten. I believe this and carry a bag that represents that statement. On your campus, I am sure you see parents walking around with their children. We are all connected. The Green Book was written in 1983 to put together skills and knowledge. Lately, we have changed our focus to work force development, economic development. This encompasses skills. All of us in our careers have to be concerned about our students into their next transition. If you look by the numbers, you see where the US is. There is no doubt they are looking other places to find students and immigrants. When you look at the map, we are behind others. We have more than 30K employees in the system. We as a system had over 70K students. Our macro growth of position is good and improving. Our retention rates are at a good number.
 - Mike – We seem to be the only one that has our committee.

- Dr. Nash – There is a less formal UAB committee.
- Provost – Every board meeting they meet for an hour before. The committee also meets in November. My experience, the President gives a State of the University. There are questions/answers and some advice is given.
- Dr. Nash – This started because there was a group that wanted to remove the university from the board. The idea was to focus on the community and ensure it wasn't lost in the fog with UA and UAB. It was when Mr. Bryant was chairman of the board thought this was important to assure this community UAH was not the missing link. I have only been to one of those meetings.
- Provost – It happened when Dr. Altenkirch became President. It was to building community/university relations.
- You can better describe the roles and responsibilities you have at your university. This includes administration, alumni, staff and others, not just faculty. How do you present yourself on the TV, radio? What you say is a very important start to graduation. You can't sit here and wish for students to come. It doesn't happen like that. You have to go where the students are. You find the students that match up with your academic requirements. You have to recruit and keep in touch with them. You have to ensure they know you and don't forget you. You assist to the transition to careers. Higher education completion rates are up. It is uneven. We have work to do to get up those numbers. On a state level, there are about 28K jobs waiting to be filled. The top of the list is truck drivers. Alabama has set forth a goal of increasing post high school attainment. George Town University did some research and came up with every states attainment level. Alabama's level is 65%. We need people with postsecondary education. We need that to do the jobs that are available within the state. We need more that are in the STEM field. Alabama has posted the expectation that we would have 65% of our population with some credential by 2025. Most colleges and universities are looking at the potential student body to bring in. I am not sure that we call older students, nontraditional. I am sure that you are recruiting from that base. Each year or every other year, a list comes out with what board of trustees think the universities need to be working on. Educational quality is of the essence. The question becomes relevance. Some don't think higher education isn't worth it. Quality is an issue in that context. We need to focus on financial stability. Freedom of speech is being discussed now. Innovation and creativity is listed. Presidential leadership is what we need to focus on. Here are some system priorities. Fiscal integrity, collaboration, legal/audit functions, workforce aid. We aren't graduating enough computer science in this state. We are trying to increase the graduate number to fuel the number to teach this in our K12 system. We have put together enhancing accountability. You will be a part of the ensuring that UAH is living up to this.
- The Chancellor search has a committee. The committee is made up of the board membership. As far as any announcements on when the new Chancellor will be names, there are no updates. The interim Chancellors are still working with no extra pay. On the system website, there is an interesting list of the attributes.
 - Tim – Thank you for coming and your years of service. I want to make a comment at the Presidential level. Our past experience has been the President's write the checks and the faculty cash the checks. Years ago, we got into a very bad financial situation. We all suffered because of what happened at the Presidential level. We have growing pains within some of our units. As we grow, we have been told money will come for expansion. It hasn't come and we are having to do more with less. With the new President coming, they are selected without much faculty involvement. I think we should have shared governance at that level. I am seeing

this time that abbreviated searches provided more for us than this search. If you could carry that message back.

- Dr. Nash – I don't think I need to have a comment on that. Let's hope and trust we won't be looking for a President for a long time. The life is usually 3-5 years average. It's a tough process to go through. I have worked with a lot of boards, we have come to a time when boards and chancellor's offices, believe there is shared governance. I think they have moved to corporate decisions on those positions. I believe there is input at the President level but I don't think it is as much as people want.
- Lori – Mike was our representative on that committee. Maybe we didn't convey the importance and information back to you. I have not been a part of previous President searches.
- Carmen – Please take the message to the board. That was a corporate position that this President was chosen. I hope he isn't a CEO. We aren't a corporate entity. I hope that this was considered by those who chose him.
- Dr. Nash – We do struggle among people with corporate backgrounds to continue to the notion you expressed. We are a collaborative organization. Over my lifetime, we have struggled to help people understand that.
- Harry – Alabama the state has strategic need for 50% increase in graduated people.
- Dr. Nash – Credentialed people. It could be a certificate. Postsecondary is a better way of putting it.
- Harry – The point I am seeing is that is going to require a massive addition devoted to education. I don't see it. I see it the opposite, to cut funds to educate. You aren't going to be able to pay additional to do this. We are bursting at the seams. Where are going to get these resources
- Dr. Nash – We are looking up. We aren't back where we were in 2008. There are dollars for these. The question will be where the dollars go. There is more money in the education trust fund. The appropriations request has been submitted to the Governor. It ask for 5% increase to everyone's budget. If it's enough now, probably not. If the economy keeps buzzing along there will be more.
- Mike – I can name graduates that I know that have businesses in Huntsville that generate more than the \$45M a year we get. That is what they are worth. Where we are missing that we aren't contributing to the economic development?
- Dr. Nash – The reality is we have always been a part of the workforce development. Most are well qualified and stay within our state. My complaint has been us. We turn our noses at that concept because we are educators. I am criticizing us. We haven't taken the responsibility to be a part. We need to embrace it with both arms. The higher education needs to do that. Not those in here.

➤ **Approve FS meeting minutes from February. Tim Newman moves. Lori Lioce seconds. All in favor. Ayes carry.**

➤ **Accept the special FSEC from March. Jeff Weimer moves. Carmen Scolz seconds. All in favor. Ayes carry.**

➤ **Administrative Reports**

○ Provost Christine Curtis

- One thing I want to talk about quickly. Dr. Nash talked about accountability. The report has went through a number of reiterations. It is a document where we report. I sent it to Mike. I hope that you will share it with the senate. We can't

really do anything about the bonding or financial aspects. We are responsible for the student's success and programs. That will be polled by ACHE this year. It will look at program viability. It will all be public on websites. It will be a heightened level of review. Our funding could link to performance. I don't know for sure but the data will be very public for legislation. In saying that, we have been working as a faculty on retention and persistence. Many of you have attended workshops. There are two more, April 4th in SST 301 and April 12th. If you haven't been to one, please go. It is highly collaborative. I have been to almost all of them. It is very stimulation. The results will be shared with everyone. The key issues from the workshops have come from the students, faculty, and the survey from Hanover. One key issue that keeps arising is financial. We looked at other universities, some have scholarships for seniors. They are typically called "finished line" or "last mile". For our 50th Anniversary, the advancement office has agreed to put on a mini campaign to get us started on trying to build scholarships for our students in the last mile. We have a lot available for incoming students but sometimes life happens. Whatever is keeping that student from graduating, it doesn't matter. There will be many different levels for this campaign. We will be going out to the community asking for funding. We will be asking for 50 contributions for our 50th year. We will continue this through the next years. We are trying to build an opportunity for our students for finish.

- I need to introduce you to Dr. Todd Barre.
- Todd Barre
 - I will start with this building, Shelby Center. Because of record rainfall in February, we started receiving major water intrusion into the basement of this building. We had to take a number of actions to take property, secure the building. We were very successful in that. We secured within a few hours the water coming into the building. We had multiple pumps to help the water levels. We used humidifiers, fans. We realized we had to pull up flooring and sheetrock. That was to control mold growth and unpleasant odors. The air quality testing's are coming in good. They will continue. Hazardous material was removed from the building. We took measures to not recirculate air from the bottom of the building. It was a big event. We had a team of architects and engineers met. Unfortunately, the basement will be out until the spring of 2020. I don't see it happening for the fall. We are going to start core testing. We are trying to figure out how it happened. We are wanting to ensure the structure of the building. We are going to do some testing around the building. We may have to inject material down to stabilize the area. We may have to trench around the building to divert water in the future. We may need to place drainage in the flooring.
 - Morton Hall is the next item. This is a big project. We have run into delays there as well. The rain didn't help the situation. We had to do more rock work than expected where the annex will be. We did core testing but there were rock formations that were missed. We discovered some structural issues that need to be repaired to the existing building. The completion is now the end of February 2020.
 - My office is aware of the issues with Tech Hall. We are going back and reviewing complaints on that building. Please submit any issues. We are going to establish a hit list and update what we have done. We will address the issues we will work on. I have a lot of faith in Greg Smith and his team. I expect to see good results. The list is due today to him.

- Harry – How much of university funding will be used for the flooding?
- Todd – It is hard to say at this point. We have spent \$300-\$400K already. We will have to pay for services for more research. We estimate \$1.5M to put sheetrock and flooring back. The event in North Alabama has risen to federal disaster. We anticipate being able to submit a claim to FEMA. You can receive mitigation money. This will help create better drainage. This will go into several million dollars.
- Carmen – Physics received the largest impact. Where do these labs go?
- Provost – I meet today on that issue.

➤ **Officer/Committee Reports**

- David Johnson, Faculty and Student Development Committee Chair
 - I received back reports on retention.
- Lori Lioce, Governance and Operations Committee Chair
 - We are working on updates for the bylaws. I have requested to be on the agenda for next FSEC and FS. Elections are next month. We will also elect chairs at the next meeting for committees.
 - Mike – We had a meeting with Todd last FSEC. In my memory, we have never been asked to vote on the benefits committee.
- Vladimir Florinski, Personnel Committee Chair
 - No report.
- Jeff Weimer, Finance and Resources Committee Chair
 - We have 41 proposals that have been funded. The tally will be added to the minutes for official reading.
- Carmen Scholz, Past President
 - No report.
- Tim Newman, Parliamentarian
 - No report.
- Christina Carmen, Ombudsperson
 - No report.

➤ **Standing Rule Proposal**

- Tim – I move to introduce this. This is a rule related to treatment of the handbook. We have had some issues with Chapter 5. We have issues with Chapter 6 and 7. This standing rule says that the senates practice for 2019 will not consider any revisions to the handbook until we receive response to Chapter 5.
- Mike – Carmen seconds. All in favor. Ayes carry.

➤ **Bill 432**

- Mike – Personally, I don't need reports on Tech Hall. Just go over and look.
- Tim – I move adoption of Bill 432. David seconds.
- Mike – Any discussion? All in favor. Ayes carry. Passes second and third reading unanimously.

➤ **Bill 431**

- Mike – There are still some concerns about this building. How we go about fixing this building needs to be transparent. Tim moves. Ron seconds. All in favor. Ayes carry.

➤ **Bill 430**

- Mike – Jeff and Carmen wrote this.
- Jeff – I motion for consideration. Vladimir seconds.
- Jeff – The intent of this is to help our faculty that we hire be able to sustain startup funds as a resource over their entire time. We have very active junior faculty that receive funding

that must use those quickly. They put aside startup funds and they lose those. When I came, they weren't limited as to when you have to use them. I think that sends the wrong message to them.

- Lori – Can I receive the background?
 - Provost – The President believes that startup is for startup. He firmly believes that two years is plenty. I advocated for three. We have a possible extension for three. One issue is that sometimes there are student funds in the startup in the colleges. It is hard to get a student the first semester. AT this point, it is two years with a possible extension on the third.
 - Carmen- There are some disciplines where it is easy to startup quickly. In Chemistry, you can't buy material within two years. We are requesting that the funds are available until their tenure comes.
 - Provost – The Presidents viewpoint is that startup monies are startup. By the time they have expired, they should be able to handle their own expenses.
 - Ron – Would it makes sense to have a contract stating the startup and the time frame you need? This would allow the justification for the additional year.
 - Mike – For one of our faculty members, if the flooding was a foot worse, he would have lost all his animals. The thought process is to get the faculty up and operating.
 - Tim – I think this is an excellent idea. It should be in writing. I have some junior faculty letters that were very surprised to learn their funds were going to go away. I think the standard policy should be in writing. I think this bill is appropriate.
 - Provost – We sweep the funds after three years. We sweep those in the Provost office. The college can make a different decision.
 - Harry – I think it is very appropriate. Two years should be plenty of time is outrageous. Every department is different. I think the department and the faculty member should determine the appropriate time. I think we are telling them the wrong thing.
 - Carmen – As far as the contract, that is a good idea. But when you first start out, you don't what grants you will win. Some disciplines cannot plan five years out.
 - Mike – All in favor. Ayes carry.
- Meeting adjourns at 2:20 pm.

Appendix L

By-Laws Of The Faculty Senate

I. The Role of the Senate in the Governance System

A. The basic structure of the UAH Faculty Senate, as well as its relationship to other UAH bodies, is set forth in the Governance System proposed on March 7, 1973, as adopted with amendments by the President of the University on April 3, 1973. These by-laws set forth the specific mechanisms by which the Senate carries out its task under the Governance System.

B. The authority of the Senate derives from the Office of the President of the University and exists as a feature of the bond of mutual trust which serves as the basis for the general system of governance for the faculty, student body, and administration.

C. The Faculty Senate is the permanent body representing the faculty for the formulation of university policy and procedures in matters pertaining to institutional purpose, general academic considerations, curricular matters, university resources, and faculty personnel (appointments, promotion, and tenure). All issues of university governance affecting the faculty at large should go before the full Faculty Senate before implementation. Senators are the voice of the faculty.

D. Issues of the faculty at large may be presented to the Faculty Senate by: its own members and committees, the University Administration, the student governance body, faculty petition, the Graduate Council, the Staff Senate, and any other appropriate University body. The Provost and Vice President for Academic Affairs (subsequently named: Provost / VPAA) will serve as the primary point of contact and conduit of information between the Faculty Senate and the University Administration. It is expected that the Faculty Senate will also enjoy direct and open communication with all other officers of the University, including the President.

E. It is expected that most recommendations of the Faculty Senate will be sent directly to the Provost / VPAA for further action by the University administration. The Senate reserves the right to communicate with and submit recommendations to any university official or committee it deems appropriate, including the President of the University. The Senate expects a timely response to its actions. When recommendations from the Faculty Senate require the review and / or approval of other university personnel or bodies (e.g., VP's, Council of Deans), the Senate expects to be given suitable opportunity to provide its own representatives to meet with these persons or bodies to discuss the Senate's recommendations and to respond to any concerns, questions, or suggestions regarding the recommendations.

F. The Faculty Senate may at its option delegate initial review of matters to committees of the Faculty Senate. Such committees are subordinate to the Senate. At its option, the Faculty Senate may create such committees as are necessary to facilitate its work. The Senate is self-regulating with respect to its structure and purposes, responding to changes within the University in a manner which it finds appropriate. An annual review of the governance system will be a function of the Senate.

G. The Faculty Senate will participate in the selection of academic administrators and in alterations of the academic administrative structure as well as be notified of proposed changes (in a timely manner) in all other university governance structures (including changes in position).

II. Membership.

A. The Provost/VPAA will be, ex officio, a non-voting member of the Senate.

B. Any tenured, tenure-earning, clinical faculty, or research faculty member, including department chairs, will be eligible to be elected to membership in the Senate; administrators above the level of department chairs are not eligible to serve.

C. Distribution.

1. Each of the units:

- College of Arts, Humanities, & Social Sciences;
- College of Science;
- College of Engineering;
- College of Business Administration;
- College of Nursing
- College of Education, and
- the Library

will have a number of members in the Senate which will assure that the unit has one member for each seven tenured, tenure-earning, clinical, or research faculty members, or major fraction thereof. Units will not have representation until they have at least four tenured, tenure-earning, clinical or research faculty members.

2. Each unit named in (1) which has formally recognized departments will elect its senators as follows: within the unit each formally recognized department will elect one member of the Senate for each seven tenured, tenure-earning, research or clinical faculty in the department, or major fraction thereof. Elections will be by the tenured, tenure-earning, research and clinical faculty of each department. If necessary, all tenured, tenure-earning, research or clinical faculty will then elect sufficient at-large members to bring the total unit membership (including departmental selections) up to the number required to achieve the 1:7 ratio.

3. Units named in (1) which have no formally recognized departments will elect one senator for each seven tenured, tenure-earning, research or clinical faculty in the unit, or major fraction thereof. Elections will be by the tenured, tenure-earning, clinical and research faculty of the unit.

4. At the start of the academic year, the secretarial staff of the Senate will determine the number of members to which each unit and department is entitled. In the event that any unit or department is entitled to additional members, they will be elected immediately and the Senate will determine by lot whether the term of office will be until the end of the first or second following year. In the event that any department or unit suffers a decrease in the seats to which it

is entitled, the terms of the requisite number of senators from that department or unit, beginning with the senator with the shortest service in the Senate and proceeding in order of length of service, shall end immediately.

D. Length of Term:

Members of the Senate shall be elected by the faculty in each department by March 1 of each year for service beginning on the first day of the coming academic year. The term of office will be two years with provisions for staggered terms.

E. All tenured, tenure-earning, clinical and research faculty of an electoral unit shall be eligible to vote in the election of senators, and the vote shall be taken by secret ballot with absentee balloting procedures available to eligible electors who cannot be present at the time of election. Vacancies in the representation of any department or unit shall be filled as soon as practical by the department or unit by election.

F. If a member of the Faculty Senate is absent without proxy for three consecutive and regularly scheduled meetings, the president of the Faculty Senate may declare that member's place vacant and direct the secretarial staff to notify the appropriate dean, department chair, or director of the vacancy. The vacancy will then be filled through the procedures described in paragraph E above. The attendance records used as the basis for this procedure shall be those kept by the secretarial staff of the Faculty Senate.

III. Officers and Staff of the Faculty Senate

A. Officers of the Senate: The officers of the Faculty Senate are the president, president-elect, and ombudsperson. Officers of the Senate must be members of the Faculty Senate during their term of office.

B. Term: Term of office for the president and the president-elect and the ombudsperson will be one year beginning on the first day of the Fall semester of each year. The president-elect will assume the office of Senate president at the end of the president's term of office.

C. Election of Officers: In the spring of each year, the Senate Governance Committee will nominate from the Senate membership (new and old) candidate(s) for president-elect and ombudsperson. The names of these candidates will go to all tenured, tenure earning, research and clinical faculty of the university for election. This election will be conducted by the Senate Governance Committee before the end of the spring semester. As the president and president-elect serves the entire faculty, the department/unit from which the president/president-elect is selected will elect another senator to represent the department/unit during the officer's term of office.

D. The president of the Faculty Senate presides at meetings of the Senate, serves as the official spokesperson for the Senate to the University community, and performs such other duties as are customarily performed by presidents of similar bodies or as the Senate may direct. The president also serves as chair of the Senate Executive Committee. The president will also be the faculty

representative to the University of Alabama Board of Trustees, the UAH Executive Administrative Council, and the ACCUFP. It is expected that the Provost / VPAA will provide the president of the Faculty Senate release time from one course for each semester of service

E. The president-elect of the Faculty Senate performs the duties of the president when the latter is absent or unable to serve. In addition, the president-elect would serve as the recorder for the Senate and the Executive Committee: receiving resolutions from committees or members, setting agendas for meetings, reviewing and managing the correspondence of the Senate. Secretarial support is provided by the Provost, however it is the duty of the president-elect to review all minutes and maintain all records of actions on resolutions. The president-elect also is the Senate representative to the Campus Priorities and Planning Committee and to attend ACCUFP meetings. It is expected that the Provost/VPAA will provide the president-elect of the Faculty Senate release time from one course for each semester of service.

F. The Faculty ombudsperson shall report to the Senate president during regular meetings at the time of committee reports. The ombudsperson shall promptly record and acknowledge receipt of written requests from faculty, exhaust all possible means of satisfying them, and report the outcome to the petitioner, maintaining confidentiality where reasonably desired. The ombudsperson shall attend all Executive meetings.

G. The parliamentarian of the Faculty Senate shall be appointed by the president from among the members of the Senate learned in parliamentary law. He/she serves at the pleasure of the president and advises the president and Senators on parliamentary procedure. The parliamentarian shall be appointed on an annual basis.

H. If, at any regularly scheduled or called meeting of the Faculty Senate, both the president and president-elect are absent, any member may call the meeting to order and the Senate shall immediately elect a president pro tem from among the members present to preside until the arrival of the president or president-elect or the adjournment of the meeting, whichever occurs first

I. Recall of the president or the president-elect can occur at any time on the following manner: a petition from 1/3 of the sitting senators requesting recall will go to the Provost/VPAA who will then call for a vote of the entire senate. A majority vote of the entire senate is required to recall an officer. In the event of recall the Senate Governance Committee will institute a university wide election to replace the removed officer. In the interim, the other presidential officer will serve, or continue to serve as president. In the case of either president or president-elect becoming unable to serve, the above procedure will be followed. The president, with the advice and consent of the Senate, shall appoint an ombudsperson should this position become vacant.

J. The Office of the Provost/VPAA is obligated under the Governance System to provide all necessary secretarial support and does so in consultation with the president and president-elect of the Senate.

K. Past-President. The immediate past-president of the Faculty Senate shall be considered a non-voting member of the Executive Committee; to be included in all meetings and deliberations of

same, and is permitted the honorary title of Faculty Senate Past-President during the year following his or her Presidency.

IV. Senate Committees

A. The Standing Committees of the Faculty Senate are:

1. The Executive Committee
2. The Governance and Senate Operations Committee
3. The Senate Personnel Committee
4. The Senate Undergraduate Curriculum Committee
5. The Faculty Finance and Resources Committee
6. The Senate Undergraduate Scholastic Affairs Committee
7. The Senate Faculty and Student Development Committee

B. The members of the Standing Committees are senators and are elected by the Senate.

C. Each senator shall serve on at least one committee. Units with few senate members may find their senator serving on more than one committee when the bylaws of the senate calls for representative membership by unit. These senators may name a permanent proxy from their unit to serve on this committee for the year. This proxy will have the same eligibility requirements as a regular senator.

D. Recommendations for addition, deletion, or change of the standing committees of the Senate will be a part of the annual Senate review of the governance system. The Senate will determine the mechanism for and the extent of student/staff/administration participation on Senate committees.

E. Members of the Senate committees shall serve one year terms, unless the resolution creating the committee specifies a shorter term.

F. Minimum attendance requirements of committee members will be determined by each committee at the first meeting of the Senate year.

G. The elected chair of a committee may request of the Senate president the replacement of any committee member when minimum attendance requirements are not met.

H. The replacement of a committee member will not be in violation of Senate by-laws or required composition of any committee.

I. Committees shall elect a chair for the coming academic year from among their membership on the last Senate meeting of the academic year. Standing committee chairs serve on the Senate Executive Committee.

J. In case of vacancies on Senate committees or in case of a necessity to appoint a new committee member, the president shall appoint the new committee member provided that the Senate consents by a majority vote of those voting and provided that a least one day's advance notice of the appointment shall have been provided to the senators. If the president's nominee is rejected by the Senate, the Senate shall proceed to the election of the new committee member.

K. Standing Committees:

EXECUTIVE COMMITTEE

Charge:

1. Receive all resolutions from the president-elect and conduct the first reading of a bill.
2. Prepare the agenda for Senate meetings. (See VIII, IX.B,C)
3. Construct and distribute a tentative calendar for regular Senate meetings for the year.
4. Coordinate activities of Senate committees.
5. Disseminate Senate business to appropriate committees.
6. Advise and consult with the Senate president on those matters requiring attention during periods in which the full Senate cannot be called into regular session.
7. Meet before the academic year begins to smooth the transition between the old and the new Executive Committees.

Membership:

1. The Faculty Senate president, president-elect, ombudsperson, parliamentarian, past-president, and chairs of all standing committees shall comprise the membership. The Provost/VPAA shall be ex-officio non-voting.
2. The Senate president shall call and chair the meetings.
3. A quorum shall consist of one officer and three committee chairs.

GOVERNANCE AND SENATE OPERATIONS COMMITTEE

Charge:

1. Review annually the Senate bylaws and prepare recommendations (resolutions) for revisions of and addition to the bylaws.
2. Serve as a nominating committee (to the Senate) for faculty membership on all Senate committees and Senate offices.
3. Conduct Senate elections. That includes obtaining members' names, preparing ballots, requesting candidates for chairs of committees, etc. Preparations of all election material (both university and Senate) should be completed prior to the last Senate meeting of the Spring semester.
4. Conduct faculty elections to University Committees. That includes screening candidates to appear on ballots following rules applicable to the individual committees. See also (6) below. Requests for membership from faculty to university committees should be collected by April 1 and ballots prepared for the election meeting of the Senate. A Senator may need to be placed ex-officio on a University committee if there is no other Senate representation on that committee.
5. Designate a senator to act as liaison with each university committee. This senator would be ex-officio unless he/she were elected by the Senate as the faculty member to that committee.
6. Maintain an updated roster of all Senate and university committees and distribute to all faculty in the university.
7. Conduct an annual review of the governance system of the university and make recommendations for needed change.

Membership:

An elected senator from each college in the university including a representative from the Library.

SENATE PERSONNEL COMMITTEE

Charge:

The Faculty Senate Personnel Committee shall be responsible for monitoring the quality of the academic and professional environment relative to its impact on faculty at The University of Alabama in Huntsville. Specifically, the committee shall:

1. Monitor policies and procedures for faculty appointments, promotions, award of tenure, sabbatical and other leaves, retirements, terminations due to financial exigency and discontinuation of an educational program, faculty evaluations, and salary adjustments.
2. Monitor the contents of the UAH Faculty Handbook through annual review, updating and editing.

This committee shall also be responsible for collecting and disseminating information pertaining to faculty personnel policies and procedures. Specifically, the chairperson of this committee will deliver a report to the Senate on matters under its jurisdiction.

This committee shall be responsible for recommending modifications or changes in all personnel policies.

Membership:

Membership shall consist of one elected senator from each college in the university and the Library and one ex-officio member designated by the Provost/VPAA.

SENATE UNDERGRADUATE CURRICULUM COMMITTEE

Charge:

The Faculty Senate Undergraduate Curriculum Committee shall be responsible for monitoring the quality of curriculum at the University of Alabama in Huntsville. Specifically, the committee:

1. Shall serve in an advisory capacity to the Provost/VPAA in matters related to curriculum planning, development, change, and evaluation.
2. May initiate and shall review any proposed changes affecting programs, basic degree requirements, and the creation or elimination of academic programs.

This committee shall also be responsible for collecting and disseminating information pertaining to the planning, development, change, or evaluation of any academic program. Specifically, the chairperson of this committee shall deliver a detailed report, including recommended changes, to the Senate during the academic year that will include the following information:

1. The status of all degree programs.
2. The status of any plans to change or add to existing degree programs.
3. The status of any academic programs being planned, including, but not limited to any new degree programs, departments, majors, minors, and degree/program options.

4. The status of any new or proposed courses within existing curricula.
5. The status of any contemplated or recommended eliminations of existing academic programs, including degree and nondegree programs and departments.

This committee shall be responsible for recommending modifications or changes in all curricular policies.

Membership

Membership shall consist of one elected senator from each college in the university, one elected representative from the Library, and one ex-officio non-voting representative from the Curriculum Committee from each college and the Office of Admissions and Records. The committee may request additional resource personnel (e.g., deans, registrar, directors, etc.) according to proposals being considered.

FACULTY FINANCE AND RESOURCES COMMITTEE

Charge:

The Senate Faculty Finance and Resources Committee shall review, assess, and make recommendations concerning:

1. The mission, goals, role, and scope of the university.
2. The objectives and plans of the major budget units.
3. The information base and planning procedures utilized in budget preparation.
4. The annual budget request and annual operating budget.
5. Campus planning and allocations of space and funding.
6. Faculty research priorities, funds, and projects.

This committee shall also be responsible for recommending modifications or changes in all matters under its consideration. The Committee also shall be responsible for collecting and disseminating information pertaining to the acquisition, availability, and apportionment of university resources among faculty. The Senate will be represented on the Priorities and Resources Advisory Committee by the chair of the Senate Faculty Finance and Resources Committee, one other member elected by this committee, as well as the Senate president-elect.

Membership:

Membership shall consist of at least one senator from each college, one from the Library, one member from the Employee Benefits Committee. The Vice President for Administration will serve as resource to this Committee..

UNDERGRADUATE SCHOLASTIC AFFAIRS COMMITTEE

Charge:

The Senate Undergraduate Scholastic Affairs Committee shall monitor the quality of the academic environment relative to its impact on undergraduate students. Specifically, the committee shall:

1. Monitor policies and procedures for all admissions, withdrawals, scholastic probation, grading systems, academic good standing, and any other scholastic issue determined by the committee as relevant to student academic quality.
2. Hear appeals for undergraduate admission and readmission.
3. Review any proposed changes in the academic criteria for awarding any scholarship/financial aid.

This committee shall also be responsible for collecting and disseminating information relative to the development, change or evaluation of procedures or standards for admission, progression, and/or graduation. Specifically the chairperson of this committee will deliver a report to the Senate during the academic year that will include the following information:

1. The status of standards and procedures for admission, progression, and graduation.
2. The status of academic criteria for the awarding of all scholarships and other forms of financial aid at UAH.

This committee shall be responsible for recommending modifications or changes in all policies relative to its jurisdiction.

Membership:

At least one senator from each of the undergraduate colleges and the Library shall be elected to serve on this committee. The Provost or the Provost's designated representative will be an ex-officio member. The committee may designate other ex-officio members depending upon the issues/policies being considered.

SENATE FACULTY AND STUDENT DEVELOPMENT COMMITTEE

Charge:

The Senate Faculty and Student Development Committee shall review, access, and make recommendations concerning issues related to:

1. Student retention
2. Faculty retention
3. Academic Integrity
4. Faculty orientation/mentoring programs
5. Research development and support
6. Teaching development and support
7. Student policies affecting faculty
8. Sabbatical and other faculty development opportunities
9. Faculty support services

This Committee shall be responsible for recommending modifications or changes in all matters under its consideration.

Membership:

Membership shall consist of at least one senator from each college and the Library. The Provost and the Vice President for Student Affairs will serve as resources to this Committee.

V. Senate Role Regarding University Committees.

University Standing Committees.

A. University standing committees consist of members of the faculty and members of administration/staff. Unless otherwise stated, faculty members shall be selected by (but not necessarily from) the Faculty Senate and shall at least equal in number administration/staff representation on each committee. All ex-officio members shall be clarified and designated. Ex-officio members shall not vote, except for those ex-officio members who are committee chairpersons who may vote only to break ties. In cases where this ex-officio member serves as chairperson, members of the committee shall select a faculty member to serve as co-chairperson. If the ex-officio member calls a meeting but cannot attend, then the co-chair will preside. When faculty representatives on the committee do not happen to include a Faculty Senator, then a Senator should be placed (ex-officio) on the University committee as a reporting senator to the Faculty Senate.

B. Where Faculty Senate Committees and University Committees share common purposes, functions, or charges, members of the Faculty Senate Committees shall be voting members of corresponding University Committees.

C. Where required by the nature of the committee's function, the university committee structure shall reflect unit representation, including the Library. University committees shall meet at least once a semester. Any member of the committee may call a meeting. Committees will issue a written report to their administrative liaison and to the Faculty Senate Executive Committee each semester, after meeting. The terms of membership shall be for two years unless otherwise noted with arrangements made for staggered terms. The details of procedures are issues which will be determined by each committee.

D. University committees for which a faculty election is conducted by the Senate:

1. Faculty Appeals - five faculty elected by the general faculty each year to serve two-year staggered terms.

2. Employee Benefits - three faculty members elected by the Senate; three-year staggered terms.

3. Intercollegiate Athletics Committee - three faculty elected by the Senate to serve two-year staggered terms.

4. Library Committee - One faculty member from each college and Graduate School elected by the Senate to serve a two-year staggered term.

5. Campus Planning Committee - six faculty members elected by the Senate to serve a two-year staggered term.

6. Information Services Users Advisory Committee - one faculty member from each of the colleges and the Library elected by the Senate to serve two-year staggered terms.

7. Patents & Copyrights Committee - three faculty members elected by the Faculty Senate from the Colleges of Administrative Science, Liberal Arts, and Nursing; and three faculty members elected by the Faculty Senate from the College of Engineering and Science; one faculty member elected by the Faculty Senate from the Library to serve three year staggered terms.

8. Radiation Committee - three faculty members elected by the Senate to serve two-year staggered terms.

9. Financial Aid Committee - three faculty members elected by the Senate to serve two-year staggered terms.

10. Publications Board - two faculty members elected by the Senate to serve two-year staggered terms.

11. Student Affairs Advisory Board - three faculty elected by the Senate to serve two-year staggered terms.
12. University Judicial Board - one faculty member from each of the colleges elected by the Senate to serve two-year staggered terms.
13. Commencement -one faculty member from each college, elected by the Senate to serve two-year staggered terms.
14. Student Life Allocations - two faculty elected by the Senate to serve two-year terms.

VI. Meetings of the Senate and Attendance

A. The incoming Senate Executive Committee will determine the regular meeting schedule of the Faculty Senate for the academic year before the start of the fall semester. The incoming Executive Committee will have this schedule (containing the dates, times, and locations of the regular Senate meetings) prepared and distributed to all faculty Senators, as well as to the President's Office, the Provost's Office, all college deans and departmental chairs, at the beginning of the Fall semester.

The full Faculty Senate will normally meet for regular business on every third Thursday during the Fall and Spring semesters. The starting time of the meetings will normally be 12:30 PM. Each meeting will last up to (90) ninety minutes, unless the Senate extends the duration of the particular meeting for a specified length of time by a 2/3 vote. The Executive Committee normally meets on the Thursday preceding the meeting of the full Senate and Senate Committees normally meet on the Thursday following the meeting of the full Senate. The starting time of the Committee meetings will normally be 12:30 p.m.

Summer meetings may be called by the president (or president-elect in the president's absence) under the conditions specified in the Senate By-Laws VI.C.

B. Such regularly scheduled meetings may be canceled by the president if no items are on the agenda seven days prior to the meeting. Unless notified of a cancellation, senators are obligated to attend scheduled meetings without specific notice.

C. The president may call special meetings if the business of the Senate requires it. Special meetings may also be called at the written request of one-fifth of all senators. Such meetings shall be scheduled at times that will ensure maximum attendance. All senators must receive notice of such meetings two days in advance.

D. To ensure full representation of the University's faculty, the use of proxies shall be strictly regulated. Any senator unable to attend either a regular Senate meeting or a Senate committee meeting may send a substitute with a written proxy. This substitute must be from the senator's department, except as noted below (or, in the case of an at-large senator, his college) and no substitute may have more than one proxy.

Any senator experiencing a partial conflict between Senate meetings and scheduled classes shall be allowed to give his or her proxy to another senator, subject to the following provisions: 1) the senator must make the conflict known to the Senate president no later than the Senate meeting immediately preceding the first meeting during which such a conflict will occur, and must be able to present satisfactory proof of the conflict to the president upon demand; 2) the proxy will become effective at the beginning of each academic semester, and shall also include a record to proxies for each meeting showing the names of both the giver and holder of each proxy. It shall be the responsibility of the Senate president to inform every affected department of the proxy eligibility of their chosen senators at the beginning of each academic semester.

E. A quorum for any meeting shall be a majority of the votes (whether represented by senators or their proxies) that are entitled to be cast.

F. Senate meetings are always open to the University community. Visitors to the Senate may take part in discussion at the discretion of the president.

G. The first meeting of the Faculty Senate in the Spring semester shall be known as the Annual Meeting. The President of the Faculty Senate after consultation with the Senate shall invite any appropriate persons from the chancellor's office and from the central administration at UAH to speak to the Senate at its Annual Meeting on matters directly related to planning for the coming academic year as well as to planning of longer range.

VII. Submission of Business to the Senate

A. Business may be submitted for consideration at plenary meetings of the Senate by senators, Senate committees, and those parts of the University community empowered to do so by the Governance System. All business shall be submitted in the form of resolutions which state clearly and in detail all actions to be taken and the agencies intended to take these actions. Items which do not conform to this format shall be returned to their originators.

B. Senate committees shall submit written reports of actions taken, and shall submit their recommendations, if any, in the form of resolutions.

C. All resolutions shall be submitted in writing to the president-elect of the Senate.

D. The president-elect shall number all new resolutions in order of receipt, and shall identify by proper notations amended or substitute resolutions reported by committees. The president-elect shall list all resolutions as received. Seven days before each meeting of the Senate the list shall be closed and transmitted to the Executive Committee. Copies of all resolutions newly added to the list shall be sent by the secretarial staff to each senator.

VIII. Determination of the Agenda

A. All resolutions submitted to the president-elect and listed by him/her for the Senate Executive Committee, whether newly received or reported by committee, shall be considered by the

Executive Committee and either referred to a committee of the Faculty Senate or placed on the agenda for Second Reading in such order as they may deem appropriate.

B. The Senate Executive Committee shall report its actions to the president-elect, and the president-elect shall transmit a list of all resolutions acted on and the action taken to the senators, as well as lists of resolutions on the agendas for Second and Third Readings.

C. The Senate may, by a majority vote, direct the Senate Executive Committee to place on the Agenda at Second Reading at the next meeting any resolution referred to the committee.

D. If at any time the Senate Executive Committee finds no items ready to be considered at a meeting, it shall certify this fact to the president.

IX. Order of Business in Meetings of the Senate

A. No resolution shall be passed by the Senate unless read three distinct times. Action by the Senate Executive Committee or emergency introduction shall constitute the first reading. The second and third readings shall occur on the floor of the Senate, and shall be on distinct days, unless the Senate shall determine by a two-thirds vote, following the second reading of a resolution, to move directly to a third reading of the resolution. If any item shall receive a unanimous vote on Second Reading, the presiding officer may rule, if there is no objection from the floor, that it has been immediately and automatically adopted at Third Reading.

B. The Senate Executive Committee shall place items on the Agenda for Second Reading. During the consideration of an item on the floor at second reading, it shall be in order to move that the item pass to third reading and if a majority vote in favor, the item shall be automatically placed at the foot of the Agenda for Third Reading.

C. The preferred order of business in meetings of the Senate should be:

1. Correction and adoption of the Journal for the previous meeting;
2. Report by the Provost/VPAA on administrative responses to Faculty Senate recommendations;
3. Elections, reports of committees, and general discussion;
4. Business on the Agenda for Third Reading;
5. Business on the Agenda for Second Reading.

Items 1, 2, and 3 should be limited to a combined duration of thirty (30) minutes.

D. At the discretion of the Senate, the Provost/VPAA may be requested to submit a report in writing for inclusion in the permanent records of the Senate when the substance of the report shall make this desirable. Such a request may be made by motion after the oral report, and shall be voted on by the Senate without debate.

E. Following adoption of the Journal, the report of the Provost/VPAA, and general business, the president shall read the agenda item by item, beginning with the first resolution on the Agenda for Third Reading. The item read shall then be on the floor for consideration, but a motion to pass over without prejudice shall be in order immediately following the main motion for passage to the next stage. Following the passing over of consideration of a resolution, the procedure shall be repeated for the second resolution on the agenda, and so on. When the Agenda for Third Reading has been read once, the procedure shall be repeated for the Agenda for Second Reading. Items remaining on the agenda at adjournment (including resolutions passed over) carry over to the next meeting in the same order.

F. At any time during agenda business when there is no other motion on the floor, a senator may move that the Senate proceed immediately to emergency floor consideration of a resolution not on the agenda nor before committee. This motion is in order only if the proponent of the motion has on hand copies of the resolution for all senators plus two file copies. The motion may be debated for five (5) minutes and requires a two-thirds vote of those present for adoption. Any senator wishing, by emergency action, to bring a new (unpublished) matter before the Senate for action, and to move it through all readings on the same day, must present ample evidence of the urgency of the matter, of the need for immediate action, and of the likelihood that delay would seriously impair the effectiveness of the Senate's response.

G. If the Senate shall adjourn while considering a resolution, that resolution is considered before the call of the agenda at the next meeting. Prior to the call of the agenda, motions to take from the table resolutions tabled at earlier meetings are in order.

H. When a Senate resolution is passed at third reading, the president-elect of the Senate will forward the resolution to the Provost. The Provost may seek the advice of University Counsel or other groups appropriate to the content of the resolution before forwarding the resolutions to the President of the University. The President of the University will either approve the resolution, suggest changes or decline to approve the resolution. In any case the University President will present the decision to the Senate Executive Committee at their next meeting following the decision. If there are suggested changes, the Executive Committee will place the resolution on the agenda of the next Senate meeting at third reading. It is the responsibility of the Office of the Provost to apprise the Senate president at every Executive Committee meeting of the progress of resolutions; the Senate president will then inform the senators at every meeting. Final decisions on resolutions should be made with all due speed. If the Senate determines that a resolution is blocked in an administrative bureaucracy, it may ask the Provost for a written explanation. The Senate also is responsible to offer clarifications of intent of resolution if there are questions from administration. Resolutions that do not require administrative approval are: "Sense of the Senate" resolutions, and those resolutions that only affect Senate structure and functioning.

I. At any time during a Senate meeting a senator or a Senate committee may be recognized to call for a "Sense of the Senate" resolution. These resolutions are to be distributed to the Senate in writing along with a verbal explanation of the need for the action. A "Sense of the Senate" resolution requires only a single reading, will be voted on upon the floor of the Senate, and requires unanimous vote. The purpose of this procedure is to expedite non-controversial matters such as recognition of significant contributions to the university, to encourage political action,

etc. It is not the purpose of this procedure to bypass adequate debate or constituency input on any resolution of policy substance.

X. Records of the Senate

A. The file of resolutions and written reports and the Journal of the Senate are the only official records of Senate proceedings. These records are exclusive. All resolutions are complete as recorded. No debate or testimony of intent may be construed as modifying or expanding the actions of the Senate.

B. Files of all resolutions and written reports of the Senate as submitted shall be retained by the secretarial staff under the direction of the president-elect. The Senate may adopt rules regulating the access of members of the University community to these records.

C. The secretarial staff under the direction of the president-elect shall prepare the Journal. No debates shall be entered in the Journal, but it shall be a complete record of attendance, motions, votes, and other proceedings. At the request of one-fifth of the members present, the names of senators shall be recorded beside their votes on a particular motion.

D. In order that the Journal may be accurate, no motion affecting the substance of a resolution shall be seconded until submitted in writing to the president-elect.

E. Copies of the Journal shall be distributed as the Senate may direct. Responsibility for this distribution rests with the secretarial staff under the direction of the president-elect.

XI. Miscellaneous Provisions

A. The parliamentary law of the Senate shall be the current edition of Robert's Rules of Order Newly Revised as modified by these By-Laws. Meetings will be conducted according to these rules.

B. Amendments to these By-Laws and supplements to Robert's Rules of Order Newly Revised may be effected only through resolutions regularly placed on the agenda, and require a two-thirds vote of those present for adoption. Such resolutions may not be voted on at called meetings.

THE UNIVERSITY OF ALABAMA IN HUNTSVILLE

ACADEMIC MISCONDUCT POLICY

-INTERIM-

Number 02.01.XX

Division Academic Affairs

Date December 2018

Purpose The purpose of the Academic Misconduct Policy is to state our expectations for academic integrity, to define and describe different types of academic misconduct, and to establish due process procedures for handling student academic misconduct cases within the Division of Academic Affairs.

Policy As an academic community of scholars and students, the University of Alabama in Huntsville values learning, discovery, freedom, opportunity, and responsibility. UAH seeks to develop students into independent thinkers and global citizens. In addition, the University has standards of behavior in which it believes strongly. In their academic endeavors, UAH students are expected to embrace and uphold such principles as integrity, respect, diligence, excellence, inclusiveness, and diversity. Academic misconduct infringes upon these principles and inhibits the flourishing of academic discussion and inquiry. UAH will not tolerate academic misconduct by students. Any form of academic misconduct explained in the following provisions, may result in academic sanctions up to indefinite suspension or expulsion, from the University.

Definitions

A. Forms of Academic Misconduct

Academic misconduct includes all forms of activity by students that aim to deceive, coerce, or disrupt instructors and/or fellow students in matters of academic course sessions, coursework, capstones, projects, theses, dissertations, and university-related research.

1. Academic Dishonesty

Academic misconduct includes **academic dishonesty**, defined, here, as any activity that attempts to deceive instructors and/or students relative to academic coursework, capstones, projects, theses,

dissertations, and university-related research, and includes, but is not restricted to, the following:

- a. **Cheating:** copying from another student's work on an assignment or exam; engaging in activities or using materials not authorized by the person administering the assignment or exam; colluding or knowingly failing to prevent collusion on an assignment or exam with any other person by receiving information without authorization; buying, stealing, or otherwise obtaining all or part of an assignment or exam; bribing any other person to obtain an assignment or exam or information about an assignment or exam; permitting any other person to substitute for oneself, to take an exam or do the work on an assignment.
- b. **Abetting cheating:** collaborating or knowingly failing to prevent collusion during an assignment or exam with any other person by giving information without authorization; selling or giving away all or part of an assignment or exam; selling, giving, or otherwise supplying to another student for use in fulfilling academic requirements any theme, report, term paper, essay, or other written work; any speech or other oral presentation; any painting, drawing, sculpture, musical composition or performance, or other aesthetic work; any computer program; any scientific experiment, laboratory work, project, protocol, or the results thereof; etc.; substituting for another student to take an exam.
- c. **Plagiarism:** the use of any other person's work (such work need not be copyrighted) and the unacknowledged incorporation of that work in one's own work offered in fulfillment of academic requirements. Plagiarism includes the use and incorporation, without acknowledgement, of the wording or expressions (even if paraphrased), information, facts, arguments, analysis, or ideas of another.
- d. **Misrepresentation:** submitting in fulfillment of academic requirements, if contrary to course regulations, any work previously presented, submitted, or used in any other course; submitting as one's own, in fulfillment of academic requirements, any theme, report, term paper, essay, or other written work; any speech or other oral presentation; any painting, drawing, sculpture, musical composition or performance, or other aesthetic work; any computer program; any scientific experiment, laboratory work, project, protocol, or the results thereof; etc., prepared totally or in part by another.

- e. **Fabrication:** falsifying records including grades, laboratory results, or other data associated with a course for oneself or any other person.

2. **In-Course Disruptive Activity and Academically Disruptive**

Activity: Academic misconduct includes **in-course disruptive activity** and **academically disruptive activity**. In-course disruptive activity is action by a student in course or lab session(s) and/or in any university-sanctioned study sessions, tutoring and PASS sessions, etc., that inhibits instruction in-class or online and that interferes with facilitation of course materials in-class or online. Academically disruptive activity includes physical or electronic tampering with instructor-produced or student-produced course material in-class or online and, further, includes any action by a student that physically or electronically interferes with, or tampers with, student research, such as that pertaining to capstones, projects, theses, dissertations, and university-related research. Academically disruptive activity also comprises of any actions aimed at copying, stealing, or compromising instructors and student electronic data or intellectual property relative to academic and research activity at the University. Any in-course disruptive or academically disruptive activity perceived by instructors or students as threatening should be reported to UAH Police and the UAH Provost Office immediately. Note that in-course disruptive activity or academically disruptive activity differs from the more general, non-academically related behaviors defined in the UAH Code of Student Conduct policy.

- 3. **Coercive Activity:** Academic misconduct includes **coercive activity**, including *quid pro quo* (this for that), by a student that seeks to positively or negatively affect student grades relative to any coursework, student coursework loads, or student work--or instructors review of that work--relative to capstones, projects, theses and/or dissertations. Coercion occurs when a student puts pressure on another student, instructor, or staff member to act in a particular way, or attempts to do so, with the intention of gaining an academic advantage. Examples include, but are not limited to, using intimidation or favors to have others complete work, threats designed to have an instructor change a grade or assign a higher grade, or attempts to bribe an instructor or student to gain academic advantage. Any coercive activity perceived by instructors or students as threatening should be reported to UAH Police immediately. Any coercive activity perceived as sexual harassment should be reported to the Title IX Coordinator ([see UAH Title IX explanation](#)).

B. **Sanctions for Academic Misconduct**

Sanctions for academic misconduct are intended to be developmental, educational, preventative, or restorative. Academic sanctions range from verbal reprimand and assignment grade-reduction, dismissal from an academic program, to suspension and/or expulsion from the University. A student found guilty of academic misconduct a second time may face suspension or expulsion from the University. Suspension requires a minimum of one academic semester, after which a student may appeal for reinstatement. For any student facing academic misconduct charges in her/his final semester, the awarding of a degree may be contingent on the resolution of the case.

C. Course Withdrawal in Cases of Academic Misconduct

When an accusation of academic misconduct is made prior to the course withdrawal date for the semester of the course in which academic misconduct has occurred, the student will not be allowed to withdraw from this course until the academic misconduct resolution process is complete. If it is determined that the student did not engage in academic misconduct, then the student will be allowed to withdraw from that course even if the drop period has expired. If the student does not respond within ten business days to notifications of accusation of academic misconduct from the accusing instructors, then a hold will be placed on the student's university transactions. If the student does not respond to a notice of the accusation before the end of the semester in which the alleged academic misconduct occurred, then the instructor will assign a grade of "F" to the student.

D. Records of Academic Misconduct

In order to maintain confidentiality, the name, A-number, academic department and college of any student who admits to, or is found guilty of, academic misconduct shall be forwarded to the Office of Academic Affairs together with a brief description of the offense and the penalty imposed. The records in Academic Affairs will serve as a central repository for tracking of repeat offenses by a student. In cases that involve suspension as a sanction, the Office of the Registrar will be notified immediately of the suspension and a hold will be placed on the student's record to prevent further enrollment. In cases of successful appeals, the record and all supporting documentation shall be removed from the student's file after one semester.

E. Burden of Proof in Misconduct Procedures

The "preponderance of the evidence" standard is used in all academic misconduct cases. This means that one must prove that it is more likely than not that the accused student committed the misconduct for which she or he is accused.

Procedures

Cases of academic misconduct shall be resolved by instructors, students, and other members of the university community. These members are determined by

the type of academic misconduct alleged. The instructors, students, and other members of the university community will determine based on “preponderance of the evidence” standard whether an academic sanction is appropriate.

1. Reporting and Facilitating Cases of Academic Dishonesty

These shall be resolved by the instructor for the course in which academic dishonesty occurred, or, upon student appeal, by the department chair or dean or dean’s designee of the academic college in which the alleged misconduct took place. Documentation of the incident should be kept on file for a period of four years. Documentation will be kept either with the instructor, department chair or dean of the academic college, determined by where the resolution took place. For any student who admits to or is found guilty of academic misconduct, the record of the academic misconduct must be sent to the Office of Academic Affairs as stated in D. Records of Academic Misconduct. Students and instructors may appeal the department chair’s decision and/or the dean’s decision. Appeals of a dean’s decision will be heard by the Associate Provost in the Office of Academic Affairs, who will conclude the case with her/his decision.

a. Members of the University Community Reporting Academic Dishonesty

- i. Instructors** may report academic dishonesty pertaining to a student in her/his course or under her/his supervision. Upon suspicion, using the evidentiary standard of “preponderance of the evidence,” that academic dishonesty has occurred the course instructor must report suspicion to both the student and her/his department chair within five business days. If a report cannot be filed within five business days, there should be an explanation for the delay. The delay does not imply that there has not been a case of academic dishonesty. The report must be in a written format and contain the student name, date of alleged infraction, and type of alleged infraction. This report will be sent to both the student and the chair of the department within which the course is offered.
- ii. Any member of the university community, including students,** may report academic dishonesty. Upon suspicion of academic dishonesty and using “preponderance of the evidence standard,” a member of the university community must report her/his concern to the instructors of the relevant course in which academic dishonesty took place, or to the chair of the department within which the course is offered, within five business days. The report must contain the name of the student alleged to have committed academic dishonesty, date of alleged infraction, type of alleged infraction and the name of the individual who is reporting the

suspicion of academic dishonesty. This report will be provided to the instructor of the relevant course and should be treated confidentially to avoid reprisal toward the reporting party. The instructor, then, will contact the chair of the department within which the course is offered.

b. Facilitating Cases of Academic Dishonesty

- i. Instructors possess the prerogative to address academic dishonesty committed by a student in a course by applying an academic sanction within the context of that course and in agreement with the accused student. Using the “preponderance of the evidence” standard, the instructor must report suspicion that academic misconduct has occurred to the student as soon as possible. The instructor will meet with the student, explain their suspicion, share any evidence of misconduct in the instructor’s possession, and hear the student’s response. Based on the student’s response, the instructor will determine whether an academic sanction is appropriate and what academic sanction shall be assessed. The instructor must inform the student of the academic sanction within five business days after meeting with the student. The instructor will produce a brief written document that includes the student’s name, the infraction, and the terms of resolution. The instructor will send the document to the chair of the department within which the course is offered as a record of the resolution. The chair will keep a copy of the document and send copies to the dean and Office of Academic Affairs.
- ii. If the student wishes to dispute the charge or the academic sanction, then the student may file a written appeal by contacting the department chair within three business days of receiving notice of the academic sanction. Upon request from the department chair, the instructor must provide via letter that explains the case, the charge, the evidence, the proposed academic sanction, and a response to the student’s appeal. Within ten business days of receiving the appeal materials, the department chair will examine the case to determine whether the charge of academic dishonesty and/or the academic sanction holds or whether a new academic sanction, or no academic sanction, shall be assessed. The department chair will notify the student and the instructor of the decision and send copies of the decision to the dean and the Office of Academic Affairs.

- iii. If the student or instructor wishes to dispute the determination of the department chair, then she/he must file a written appeal by contacting the dean of the college within three business days of receiving the department chair's letter. Upon request from the dean, the department chair must provide to the dean all information and materials regarding the case and a response to the appeal. Within ten business days of receipt of the case, the dean or dean's designee will examine the case to determine whether the charge of academic dishonesty and/or the academic sanction holds or whether a new academic sanction, or no academic sanction, shall be assessed. The dean will notify the student, instructor, and department chair of the decision and send a copy of the decision to the Office of Academic Affairs.
- iv. If the student or instructor wishes to dispute the decision of the dean, she/he must file a written appeal to the Associate Provost within the Office of Academic Affairs within three business days of receiving the dean's decision. Upon request from the Associate Provost, the dean must provide the Associate Provost with all information and materials regarding the case and a response to the appeal. Within ten business days of receiving the appeal, the Associate Provost will determine the outcome of the case, including any academic or other sanctions. If the student is a graduate student, the Associate Provost will consult with the Graduate School dean prior to making a decision. The decision made by the Associate Provost is final.
- v. If a student is **charged with academic dishonesty in an online learning course**, then the aforementioned procedures must be facilitated via telephone (conference call) or online visual communication (such as Zoom, SKYPE or FACETIME). Before proceeding via teleconference or video conference, the student's identification should be verified by members of the university community facilitating the case. Materials concerning the case, including evidence against the student, should be distributed electronically to all parties. The procedures should continue, otherwise, as with on-campus students.
- vi. Cases that involve fabrication or falsification of student academic records (e.g., fraudulently changing one's own grades or the grades of others, unlawful access to accounts, hacking into University record systems, etc.) or that involved

multiple courses, shall be reported directly the Office of Academic Affairs. The Office of Academic Affairs will conduct the investigation and administer appropriate sanctions.

2. Reporting and Facilitating Cases of Disruptive or Coercive Academic Misconduct

a. Members of the University Community Reporting Disruptive or Coercive Academic Misconduct

- i. Instructors may report academic misconduct of a coercive or disruptive nature pertaining to a student in her/his course or under her/his supervision. Upon suspicion that disruptive or coercive academic misconduct has occurred the course instructor must report suspicion to both the student and her/his department chair within five business days. The report must contain the student name, date(s) of alleged behavior, type of alleged behavior, and the name of the individual reporting the behavior. This report will be provided to the chair of the department within which the course is offered.
- ii. **Any member of the university community, including students**, may report disruptive or coercive academic misconduct. Upon suspicion of such academic misconduct, a member of the university community must report her/his concern to the instructor of the relevant course in which disruptive or coercive academic misconduct took place, or to the chair of the department within which the course is offered, with five business days. The report must contain the student's name, date(s) of alleged behavior, type of alleged behavior, and the name of the individual reporting the behavior. This report will be provided to instructor of the relevant course. The instructor, then, will contact the chair of the department within which the course is offered. The report should be treated confidentially to avoid reprisal toward the reporting party.

b. Threatening Disruptive or Coercive Behavior

- i. If an instructor feels that a student's disruptive or coercive behavior poses a threat to the instructor, to other students, or to the disruptive student, then she/he should report this behavior immediately to UAH Police, adhering to the [Behavior Evaluation Threat Assessment \(BETA\) Policy](#).

c. Facilitating Cases of Disruptive or Coercive Academic Misconduct

i. Instructors possess the prerogative to address disruptive or coercive academic misconduct committed by a student in a course in an unofficial manner. After meeting with the student to attempt resolution, instructors may elect to apply a sanction within the context of that course and with the agreement of the accused student.

ii. If informal resolution is not achieved or if the student persists in the disruptive or coercive behavior, instructors shall report the behavior to the chair of the department within which the course is offered and through which the student is registered (in the case of cross-listed courses). A conference will be held within ten business days between the student, instructors, and chair in order to resolve the case. The instructor and/or the student may wish to solicit testimony from other students in the course in which misconduct is alleged. Academic sanctions may be suggested by either the instructor or department chair. The department chair will determine whether misconduct has occurred and contact both instructor and student within three business days. When the department chair issues a determination, the instructor will produce a brief report of the charge and the conference, including clarification on any academic sanctions. The instructor, department chair, and student must sign this report. Resolution of the case requires instructors and student agreement in the form of each person's signature on the report. The report will be sent to the department who will send copies of the document to the dean of the college and the Office of Academic Affairs.

1. If the student or instructor wishes to appeal the determination of the department chair, then she/he must contact the department chair in writing within three business days of receiving the sanctions. The department chair will send the report to the dean/associate dean within three scheduled academic days. Within ten business days of receiving the report, the dean/associate dean will hold a conference with the instructor and the student. The dean/associate dean will determine whether academic misconduct has occurred and contact the instructor, student, and department chair within three business days. The dean/associate dean may choose to keep the original report, amend the previous report,

or produce her/his own new report on the case of academic misconduct. Resolution of the case requires instructors and student agreement in the form of each person's signature on the report. The dean must report the resolution and send documentation to the Office of Academic Affairs.

2. If the student or instructor wishes to appeal the determination of the dean/associate dean, then she/he must contact the dean/associate dean within three business days of receiving the notification. Within five business days of receiving the student's appeal, the dean/associate dean must contact the Associate Provost within the Office of Academic Affairs and send forward a report that explains the case, including any testimony, any suggested academic sanction, and the grounds on which the student disputes the charge. Within a time frame determined by the Associate Provost, she/he will determine the outcome of the case, including any academic or other sanctions. The decision of the Associate Provost is final.
3. **If a student is charged with in-course disruptive academic misconduct in a distance learning course**, then the aforementioned procedures must be facilitated via telephone (conference call) or online visual communication (such as Zoom, SKYPE or FACETIME). Before proceeding via teleconference or video, the student's identification should be verified by members of the university community facilitating the case. Materials concerning the case, including evidence against the student, should be distributed electronically to all parties. The procedures should continue, otherwise, as with on-campus students.
4. If the instructor does not feel the student is an immediate threat to other students, but, nevertheless requests that the student be removed permanently from in-course activity, then the case will be referred immediately to the Associate Provost in the Office of Academic Affairs. A student may appeal the decision to remove her/him from in-course activity by submitting a letter of appeal to the Associate Provost.

iii. **Academically Disruptive and Coercive Academic Misconduct**

1. Due to the gravity of **coercive academic misconduct** and due to the potential for cross-course and extra-course disruption, cases of **academically disruptive activity** will be facilitated at the level of the Associate Provost and the Office of Academic Affairs.
2. The Associate Provost will convene a panel to resolve cases of coercive or academically disruptive academic misconduct. The panel will consist of a person designated by the Vice President for Student Affairs, a person designated by the Provost (not the official convening the panel), one student (appointed by the President of the SGA), and one course instructor (appointed by the President of the Faculty Senate or by the Provost Office in the case of lecturers); both the student and the instructor will come from the college holding jurisdiction for resolving the alleged misconduct if it is possible to find such people who have no prior connection with the case. In cases involving graduate students, the instructors and student members of the appeal panel should hold graduate faculty or graduate student status, respectively. The person designated by the Provost will serve as hearing administrator and will coordinate and preside at all meetings conducted to resolve the academic misconduct appeal. The hearing by a panel is an administrative hearing and the proceedings will be informal rather than those used in courts of law. The panel may admit any evidence, which is of probative value in determining the issues, subject to the panel's judgment as to the relevance, credibility, and weight of the evidence. The panel may ask the parties to produce evidence on specific issues, may examine witnesses, and may call and examine its own witnesses. Both the student and the instructor have the right to be assisted in the presentation of their respective cases, even to the extent of full representation, by an advisor of their choosing except if the advisor chosen is an attorney. The faculty member and the charged student may choose one advisor to be present at the hearing. The faculty member and the student may choose any university or non-university person as his/her own advisor or may select, at his or her own expense, an

attorney to serve as his/her advisor. The advisor or attorney cannot present statements, arguments, or question witnesses or participate directly in the panel hearing.

3. If the attorney speaks at the hearing, the hearing administrator will ask the attorney to leave the proceedings. Each party (or the representative of the party) will have the right to question and cross-examine all opposing witnesses. The panel will review each of the issues raised in the appeal and make recommendations to the Associate Provost. Recommendations contrary to the student's position must be supported by the votes of at least three of the four panel members. The panel will provide written recommendations to the Associate Provost. The Associate Provost will issue a decision on each issue within the appeal and give written notice to the student, the course instructor, the dean/associate dean, the Vice President for Student Affairs and the panel.
4. If the student is found responsible and wishes to appeal the panel's decision, she/he may do so in writing to the Provost or her/his designee within 10 business days of receipt of the findings.

3. Student Rights for Conferences, Meetings, and Hearings Pertaining to Academic Misconduct Cases

- a. The student is not required to make any statement at all regarding the matter under investigation.
- b. The student may make a voluntary statement if she/he chooses.
- c. The student has a right to present any evidence, supporting witnesses, and other information to support her or his case.
- d. The student has the right to request a delay in order to seek the advice or to allow the presence of an advisor.

Review

This policy will be reviewed by the Office of Academic Affairs every five years or sooner if needed.

Approval

Campus Designee

Date

Chief University Counsel

Date

Provost and Executive Vice President for Academic Affairs

Date

APPROVED:

President

Date