

FACULTY SENATE

MEETING #615 AGENDA

CHAN Auditorium

THURSDAY, March 11, 2021

12:50 PM to 2:20 PM

Call to Order

1. Approve Faculty Senate Meeting #614 Minutes from February 25, 2021
2. Accept FSEC Report from March 4, 2021
3. Administrative Reports
4. Officer and Committee Reports

<ul style="list-style-type: none">• President Tim Newman• President-Elect Carmen Scholz• Past-President Laird Burns• Parliamentarian Mike Banish• Ombudsperson Officer Carolyn Sanders• Governance and Operations Committee Chair Kader Frendi	<ul style="list-style-type: none">• Undergraduate Curriculum Committee Chair:<ul style="list-style-type: none">• Azita Amiri 8/20;10/20;12/20;2/21;4/21;6/21;8/21• Paul Whitehead 9/20;11/20;1/21;3/21;5/21;7/21• Finance and Resources Committee Chair Jeff Weimer• Undergraduate Scholastic Affairs Committee Chair Emil Jovanov• Faculty and Student Development Committee Chair Kwaku Gyasi• Personnel Committee Chair Mike Banish
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5. University Committee Reports

6. Second Reading Items:

- Bill 459: Handbook Ch. 4 Ombudsperson
- Bill 454: Acad. Qualification ... PTAC and URB Members
- Bill 455: Student Enrollment of Academic Program

7. Policy Items:

- Policy 03.01.06: Use of Outdoor Areas of Campus
- Policy 03.01.07: Use of Facilities

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

Adjourn

Proxies for Senate meetings must be a Senate-eligible individual from the same academic unit. No individual may carry more than one proxy.
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THE UNIVERSITY OF ALABAMA IN HUNTSVILLE

USE OF OUTDOOR AREAS OF CAMPUS

Number 03.01.06

Division Student Affairs

Date Revised December 2020

Purpose The Board of Trustees of The University of Alabama, an independent, constitutional instrumentality of the state, controls The University of Alabama in Huntsville (“UAH” or “University”), an enclave created for the pursuit of higher learning, and is committed to free and open inquiry and expression for members of its campus communities. Except as limitations on that freedom are appropriate to the functioning of the campuses and permissible under the First Amendment to the Constitution of the United States, UAH will regulate access to the outdoor areas of UAH’s campus, including sidewalks on its campus, in a manner that respects and supports the freedom of all members of each campus community “to discuss any problem that presents itself.” To that end, this policy provides UAH’s affiliates access to outdoor areas of campus while preserving the primacy of UAH’s teaching, research, and service mission. Among other significant interests, this policy is intended to facilitate responsible stewardship of institutional resources; to protect the educational experience of its students; to preserve the primacy of its teaching and research mission; to ensure health, safety, and order on campus; to regulate competing uses of its facilities and grounds and protect campus property; and protect the safety and wellbeing of those with the right to use the outdoor areas to engage in protected speech, while also providing opportunities for freedom of expression and assembly that is consistent with UAH’s teaching, research, and service mission.

UAH will enforce reasonable time, place, and manner restrictions that are viewpoint neutral to ensure that these interests are protected and that expression does not disrupt the ordinary activities of the institution.

Use of UAH’s outdoor areas by persons, groups, or organizations affiliated or unaffiliated with UAH will be primarily handled in accordance with this policy.

Policy

The outdoor areas of UAH (referred to as “grounds” or “outdoor space”), including the sidewalks on its campus, are intended primarily for the support of the teaching, research, and service components of its mission. Second priority is given to programs sponsored and conducted by UAH’s academic, research, and administrative departments or organizations affiliated with such departments. Beyond these two priorities, use of outdoor space is primarily permitted for activities that are intended to serve or benefit the UAH community and must not interfere with the academic mission or operation of UAH. These additional significant interests include, but are not limited to, protecting the educational experience of its students; ensuring health, safety, and order on its campus; regulating competing uses of its grounds as well as protecting campus property; and protecting the safety and wellbeing of those with the right to use its facilities and grounds to engage in protected speech. To the extent any outdoor space is made available for activities or gatherings, including activities of expression, the reservation and/or use of such space is subject to this policy as well as all other applicable University policies, procedures, and guidelines along with local, state, and federal laws.

A. Who May Use Outdoor Space

Subject to the terms of, and exceptions included in, this policy, outdoor space generally may only be reserved or used by the following:

1. members of the campus community (*i.e.*, UAH faculty, staff, and students);
2. a University academic or administrative unit;
3. a registered student organization;¹ or
4. an individual or organization that is sponsored by (a) the University, (b) a University registered student organization, (c) administrator, or (d) a member of the faculty or staff.²

The aforementioned categories of eligible users are collectively referred to in this policy as “University affiliate(s).” Any University affiliate that reserves outdoor space must participate in any activity associated with that reservation.

¹ A “registered student organization” is one that is properly registered with UAH’s Division of Student Affairs that has not had its available privileges, such as the use of outdoor space, withdrawn, suspended and/or restricted.

² A University registered student organization, administrator, or a member of the faculty or staff, rather than the University, decides which activities of expression and/or assembly they may wish to sponsor.

B. Reservation Requirements

University affiliates have the right to engage in spontaneous activities of expression as provided for in Paragraph F of this policy and subject to compliance with applicable University rules. Aside from the opportunities for free expression outlined in Paragraph F and casual recreational or social activities, reservations must be made for activities that make use of outdoor space under the control of UAH (an “Event”), including sidewalks within the boundaries of UAH’s campus. When required, requests for Event reservations shall be made in writing in accordance with Paragraph C (*Reservation Process for Use of Outdoor Space and Approval of GUR Applications*).

C. Reservation Process for Use of Outdoor Space and Approval of Grounds Use Reservation (“GUR”) Applications

In addition to the requirements and limitations of this policy, all use of outdoor space is further governed by any policy and procedure relevant to a specific outdoor space, the Alcoholic Beverage Usage at University Events Policy, the Child Protection Policy, the Smoke-and Tobacco-Free Policy, the General Terms and Conditions for Use of Outdoor Space incorporated herein by reference, and all other applicable policies and procedures.

1. Subject to the limited exceptions noted in Paragraph C.6 below and Paragraph F (*Activities of Expression*), each applicant for an Event on campus must register their Event by completing a GUR application. The GUR application and General Terms and Conditions for Use of Outdoor Space is available online at <https://sites.google.com/a/uah.edu/conferences-andevents/home/forms>.
2. To facilitate the review by various UAH departments that have responsibility for different aspects of an Event (e.g., tents, food service, security, risk management, electrical service, etc.), applicants for use of the space are strongly encouraged to submit a GUR application at least ten (10) days prior to the Event. At a minimum, a GUR application must be submitted no less than three (3) business days ³ prior to the planned Event. The GUR application will be approved or denied within two (2) business days of receipt.
3. Upon receipt of the GUR application, the UAH Associate Director of Conference and Events will forward same via e-mail to the Chief of Police for the University of Alabama in Huntsville Police Department (“UAHPD”), the

³ A University business day means any day when UAH is in operation. It does not include Saturdays, Sundays, and University holidays or other days when normal business operations are suspended.

Office of Risk Management, Facilities and Operations, and Environmental Health and Safety.

4. The UAH Associate Director of Conference and Events will approve a GUR application properly made by an appropriate University affiliate unless there are reasonable grounds to believe that one or more of the following conditions are present:
 - a. The applicant has had their/its available privileges, such as the use of certain outdoor space or facilities, withdrawn, suspended, and/or restricted.
 - b. The proposed outdoor space is unavailable at the time requested because of conflicting events previously planned in or around that location.
 - c. The proposed date, time, or requested space is unreasonable given the nature of the Event and/or the impact it would have on UAH's resources and teaching and research mission.
 - d. The Event would present logistical complexities that cannot be accommodated based on when the GUR application was submitted, the size of the event, and when the Event is to occur.
 - e. The Event would not comply with the provisions of Paragraph E (*General Provisions Applying to All Use of Outdoor Space*).
 - f. The Event would reasonably constitute an immediate and actual danger to the health and safety of UAH students, faculty, or staff, or to the peace or security of UAH that available law enforcement officials could not control with reasonable effort.
 - g. The University affiliate who submits the application has on prior occasions damaged UAH property and has not paid in full for such damage.
 - h. The requested use of outdoor space is inconsistent with the terms of this policy.
5. If issued, a permit granting use of outdoor space shall (a) specify the boundaries of the area to be used; (b) the date for which the use is approved;

(c) the time at which the reservation for the use expires, and (d) any special provision(s) concerning the use of the space. If denied, the Associate Director of Conference and Events will set forth in writing the grounds for denial, including, if applicable, any measures that would cure any defects in the application.

6. Exceptions

- a. Intercollegiate Athletic Facilities. Athletic outdoor practice fields, training facilities, and tennis courts are owned and maintained by UAH for the primary use and benefit of the intercollegiate athletic programs of UAH, of allied non-University athletic activities consistent with such programs, and of official academic events of UAH. The use of these outdoor facilities shall be limited to these purposes unless otherwise authorized by the Athletic Department. Requests for use of all intercollegiate athletic facilities must be made directly to the Athletic Department's Senior Woman Administrator/Assistant Athletic Director. Distribution of materials pursuant to this policy is not allowed in intercollegiate athletic facilities or within the security perimeter of athletic events without the permission of the Athletic Department.
- b. Recreation Facilities. Setzer Field, Riggs Field, the Disc Golf Course, and the grass intramural fields at Southeast Campus Housing are intended primarily for student recreational use on an organized group and individual basis. Requests for recreational facilities shall be made online at <https://rec.uah.edu/Facility/ReservationRequest>.
- c. Charger Union breezeway, Charger Union lawn, Charger Union Outdoor Theater. Reservations for these locations shall be booked in accordance with the Charger Union Use of Space & Reservation Policy.

D. Appeal of Denial of GUR Application

1. A University affiliate whose request for the use of outdoor space is denied may appeal to the Vice President for Student Affairs.
 - a. Appeals should be filed in writing with the Office of the Vice President for Student Affairs within five (5) business days of the denial of the GUR application.

- b. The Vice President for Student Affairs (or designee) shall convey the appeal decision in writing to the applicant and to the appropriate administrative unit within five (5) business days after receiving the appeal.

2. The decision of the Vice President for Student Affairs on any appeal shall be final.

E. General Provisions Applying to All Use of Outdoor Space

The following requirements/limitations apply to **ALL** activities or Events requiring access to outdoor space:

1. Persons may not block or otherwise interfere with the free flow of vehicular, bicycle, or pedestrian traffic. The right of way on streets and sidewalks must be maintained.
2. Persons may not block or otherwise interfere with ingress and egress into and out of campus buildings.
3. Persons shall not obstruct, disrupt, interrupt, or attempt to force the cancellation of any event or activity sponsored by UAH or by any individual/group authorized to use outdoor space.
4. Where an invited speaker is the object of protest, persons may demonstrate and/or distribute materials outside the facility where the speech is taking place, subject to the requirements of this policy, which may include registration or notice. Persons who wish to attend an Event must do so as members of the audience and must give the speaker a respectful hearing (e.g., do not interrupt, etc.). Failure to grant the speaker a respectful hearing may result in the offending person(s) being asked to leave or being removed. Signs, placards, or similar paraphernalia associated with a demonstration shall not be carried into any building on campus. This provision is focused on preventing material and substantial interferences. It does not prevent attendees from engaging in silent, nonobstructive protests (e.g., turning their backs on a speaker, etc.) or respectfully engaging a speaker in discussion or debate when the speaker provides that opportunity to the audience.
5. Persons shall not engage in physically abusive or threatening conduct toward any person or group.

6. Persons shall always comply with the directions of UAH public safety personnel, including the UAHPD.
7. Persons shall not prevent, obstruct, or interfere with regular academic, research, administrative, student activities, or other approved activities at UAH.
8. Use of public address systems and amplified sound, including electronic amplification, is only permitted pursuant to the terms of Paragraph G (Use of Sound Amplification) below.
9. The safety and well-being of members of the campus community collectively and individually, as well as the educational experience and other significant interests of UAH as outlined herein, must be protected at all times. UAH maintains the right to impose reasonable time, place, and manner restrictions for Events and activities occurring in outdoor space in a viewpoint-neutral manner to ensure that expressive activity is protected and that expression does not disrupt the ordinary activities of the institution. This includes, but is not limited to, modifying, disbanding or relocating an Event or activity that conflicts with previously scheduled events in or around that space or that reasonably creates a health or safety risk to persons or risk to property on campus.
10. UAH property must be protected at all times.
11. Persons on UAH's property may be required to provide identification and evidence of qualification to a UAH official upon request. Evidence of qualification means evidence that the person is a currently registered student, staff or faculty member at the institution, is a University affiliate, or has lawful activity to pursue at UAH.
12. Persons engaging in activities on UAH property are subject to and must comply with all applicable UAH policies and procedures.
13. Any person or group holding an Event on campus must remove all trash and other items associated with the Event (e.g., fencing, stages, tents, tarps, etc.) and return the grounds to pre-Event condition by 7:00 a.m. the following day. For events that are scheduled to end before 5 p.m., such removal must take place within three hours of the scheduled end of the event. UAH will assess the reasonable costs of returning the grounds to pre-Event condition

(including damages, labor, repairs, replacement, etc.) and/or cleanup to those persons or organizations failing to comply with this requirement.

14. Candles, fireworks, pyrotechnics, bonfires, and other open flames are not permitted at any Event using outdoor space unless it is a UAH sponsored Event that has been coordinated with UAHPD and local fire department officials.
15. Misuse/abuse of trees located on UAH property is prohibited. Examples of tree misuse/abuse include, but are not limited to, climbing, breaking limbs/branches, use of ropes, wire, slack-lines, zip-lines, nails, tape and signage, etc.
16. With the exception of service animals that are trained to do work or perform tasks for a person with a disability, the use of animals in conjunction with an Event is prohibited without prior written approval from the Division of Student Affairs. The Division of Student Affairs shall consult with the Office of Risk Management prior to granting permission.
17. No outdoor Event may last longer than eight (8) hours during a 24-hour period without prior written approval from the Division of Student Affairs. Likewise, overnight camping or the use of temporary shelters (e.g., tents) is not allowed without prior written approval from the Division of Student Affairs.

F. Activities of Expression

The primary function of a university is to discover and disseminate knowledge by means of research, teaching, discussion, and debate. To fulfill this function, free and open inquiry and expression of ideas is necessary within UAH by its University affiliates. At UAH, freedom of expression and assembly is vital to the pursuit of knowledge. Such freedom comes with a responsibility to welcome and promote this freedom for all, even in disagreement, opposition, or even offense.

UAH supports the right to free expression on campus by University affiliates, through rallies, speeches, petitions, vigils, and distribution of materials, among others, provided such an Event complies with this policy and does not disrupt normal University activities, infringe upon the rights of others, or otherwise infringe on UAH's significant interests as set forth herein. Compliance with this policy should prevent such disruption or infringement. Except as provided herein, persons who are not members of the UAH student body, faculty, or staff may only participate in these types of Events upon the invitation of a University affiliate who is actively participating in the Event.

The ideas of different members of a campus community will often and quite naturally conflict, but it is not the proper role of UAH to shield or attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. Although great value is placed on civility, and while all members of the campus community share in the responsibility for maintaining a climate of mutual respect, concerns about civility and mutual respect can never be used to justify closing off the otherwise lawful discussion of ideas among members of the campus community, however offensive or disagreeable those ideas may be to some.

The freedom to debate and discuss the merits of competing ideas does not, of course, mean that individuals may say whatever they wish, wherever they wish. UAH may restrict expression or assembly that violates the law, falsely defames a specific individual, constitutes a genuine threat or harassment, unjustifiably invades substantial privacy or confidentiality interests, or that is otherwise incompatible with the functioning of the institution. Likewise, UAH has a significant interest in protecting the educational experience of its students, in ensuring health, safety, and order on its campus, in regulating competing uses of its facilities and grounds, and in protecting the safety and wellbeing of those with the right to use its facilities and grounds to engage in protected speech, among other significant interests. As a result, UAH may reasonably regulate the time, place, and manner of expression in a viewpoint-neutral manner to ensure that these interests are protected and that expression does not disrupt the ordinary activities of the institution. These are exceptions to the general principle of freedom of expression, and it is vitally important that these exceptions never be used in a manner that is inconsistent with an institution's commitment to a free and open discussion of ideas among its campus community.

A multitude of venues and forums across campus are available for free expression if properly registered in advance of the Event. In addition to those opportunities for free expression through Event registration and reservation of campus space, Events providing for freedom of expression may also be promptly allowed in the following situations:

1. Special Guidelines for Spontaneous Activities of Expression
 - a. It is the intent of this policy to ensure that all activities of expression on campus occur without threat to the health, safety, or security of persons or facilities or UAH's other significant interests through proper planning and scheduling. Occasionally, events occur that demand immediate public response, and it is not the intent of this policy to limit the rights of a University affiliate to respond to such events. To be clear, the areas designated herein are not "free speech zones." These

areas are designed to further promote activities of expression. As provided for under this policy, there are numerous spaces identified across campus where faculty, staff, and students have the opportunity to exercise free expression.

- b. Spontaneous activities of expression, which are generally prompted by news or affairs coming into public knowledge less than forty-eight (48) hours prior to the spontaneous expression, may be held by University affiliates in the following defined areas, without advance approval, provided that the activity does not interfere with any functions for which that space has been reserved in advance, disrupt UAH's teaching and research mission, or otherwise violate this policy.⁴
 - i. The amphitheater, identified as area 1 on the Campus Map.
 - ii. The grassy area north of Holmes Avenue, south of the Salmon library, and west of the internal sidewalk, identified as area 2 on the Campus Map.
 - iii. The grassy, triangular area between Holmes Avenue and John Wright Drive, identified as area 3 on the Campus Map.
 - iv. The grassy area north of Holmes Avenue and west of John Wright Drive, identified as area 4 on the Campus Map.
 - v. The grassy and treed areas within the Executive Plaza portion of campus identified as areas 5, 6 and 7 on the Campus Map.
 - vi. The grassy area north of the University Fitness Center between the University Fitness Center and Holmes Avenue, identified as area 8 on the Campus Map.
 - vii. The greenway rectangle area, south of the Charger Union, identified as area 9 on the Campus Map.

⁴ See campus map, which also generally marks the noted areas.

- viii. The grassy areas south of the Materials Science Building and north of John Wright Drive, identified as areas 10 and 11 on the Campus Map.
 - ix. The grassy area south of Von Braun Research Hall and north of John Wright Drive, identified as area 12 on the Campus Map.
 - x. The grassy area west of the Engineering Building and Von Braun Research Hall, and east of John Wright Drive, identified as area 13 on the Campus Map.
 - xi. The grassy area west of Von Braun Research Hall and east of John Wright Drive, identified as area 14 on the Campus Map.
 - xii. The grassy area south of Knowledge Drive between University Lake and John Wright Drive, identified as area 15 on the Campus Map.
 - xiii. The grassy areas south of Technology Drive and east of Sparkman Drive, identified as areas 16 and 17 on the Campus Map.
 - xiv. The grassy area south of Knowledge Drive between University Lake and Sparkman Drive, identified as area 18 on the Campus Map.
 - xv. The area north of Technology Drive between Sparkman Drive and University Lake, identified as area 19 on the Campus Map.
 - xvi. Perimeter sidewalks that border the UAH campus alongside Sparkman Drive and/or University Drive.
- c. For scheduling conflict, site preparation/clean-up, and security purposes, a notification should be sent to outdoorrequest@uah.edu promptly after the decision is made to hold the spontaneous activity of

expression in any of the foregoing outdoor spaces.⁵ The notice must identify the following:

- i. Contact information for the event organizer (e.g. name, cellphone number, e-mail, etc.);
 - ii. Which of the foregoing areas will be utilized;
 - iii. The time the activity is expected to begin and end;
 - iv. A general description of the reason for the activity; and
 - v. An estimate on the number of individuals expected to be involved in the Event.
- d. Spontaneous activities of expression may occur in other areas of campus in addition to the areas listed above, but an expedited request for use of other outdoor space must be made at least twenty-four (24) hours in advance pursuant to Paragraph C (*Reservation Process for Use of Outdoor Space and Approval of GUR Applications*). If properly requested, other outdoor space may be made available provided that the activity does not interfere with any functions for which that space has been reserved in advance or otherwise violate this policy.⁶
- e. It is inappropriate for events that have been planned to circumvent this policy by claiming to be spontaneous. In deciding whether an activity of expression is spontaneous or planned, UAH may consider any relevant evidence. If it is determined an effort was made to circumvent

⁵ This notification may not be required in situations where the spontaneous activity must occur in one of the defined spaces with such immediacy that it is objectively impractical or unreasonable to provide any of the notification information referenced above in advance of the activity. On the rare occasions that this occurs, the individual or group organizing the event is expected to otherwise comply with this policy as well as any directives from law enforcement or other UAH representatives aimed at maintaining the safety and security of the activity, participants, and/or the campus community. Further, the organizing individual or group should provide the notification information as soon as reasonably practical once the activity is organized or underway.

⁶ University affiliates may also elect to engage in expressive activity on the public property that is immediately off campus. Please review the campus map which provides a general understanding of the property lines for campus. Any individual or group engaging in expressive activity on public property is encouraged to review applicable Huntsville city ordinances before engaging in such activity.

established policies, the individual(s)/group(s) involved may be subject to disciplinary action.

2. Special Guidelines for Material Distribution (e.g., distribution of leaflets, pamphlets, written materials, etc.)
 - a. University affiliates may distribute directly to other members of the campus community, without advance approval, non-commercial announcements, statements, or materials in any outdoor area of the campus, the use of which is not otherwise restricted or scheduled. In an effort to avoid space scheduling conflicts, assist with site preparation/clean-up, and promote the safety/security of all those involved with the distribution activity, UAH requests that a University affiliate organizing the distribution provide UAH with notice at least twenty-four (24) hours before the planned distribution. As stated above, UAH does not require advance approval, and it does not take the content or viewpoint of speech into account. Such notification should be sent to outdoorrequest@uah.edu and identify/include the following:
 - i. Contact information for the event organizer (e.g. name, cellphone number, e-mail, etc.);
 - ii. The date and time of the planned distribution period;
 - iii. The proposed locale of the distribution;
 - iv. A copy of the materials that will be distributed at the event; and
 - v. The anticipated duration of the distribution period; and
 - vi. The anticipated number of people expected to take part in the distribution of materials (not to exceed 10).⁷
 - b. Persons distributing such materials are expected to refrain from littering and to encourage the same from others. "Distribution" is defined as and limited to individuals handing materials to other individuals who may accept them or refrain from receiving them. An

⁷ This participant restriction (Item 6) does not apply to material distribution occurring as part of spontaneous events held pursuant to Section G.1.

individual's right to privacy must be respected. Thus, no person may attempt to threaten, intimidate, or badger another individual into viewing or accepting a copy of any material. Further, no person may persist in requesting or demanding the attention of another individual who has attempted to walk away or has clearly expressed no interest in the material. For purposes of this section, leaving materials unattended on a surface to be picked up is considered littering, not distribution.

- c. Materials may not be distributed door to door in residence halls or academic buildings. Further, materials may not be affixed to the outside of UAH buildings/structures or placed on motor vehicles. Additionally, equipment, such as tables, tents, and chairs, may not be used as part of any distribution activity under this section.

H. Use of Sound Amplification

The use of sound amplification (e.g., electronic amplification, public address systems, etc.) may be available upon written request to outdoorrequest@uah.edu and will be considered on a case-by-case basis. If approved, the use of sound amplification in conjunction with an Event must never disrupt the normal functions of UAH or unreasonably disturb the surrounding community. Sound amplification will generally be permitted upon request if the speaker/sound source volume is expected to be reasonably set and localized (i.e., cannot be heard beyond the immediate vicinity of the speaker/sound source). Different locations, such as those adjacent to academic/administrative buildings or residence halls, as well as the timing of the Event may dictate the reasonableness of the volume and speaker/sound source placement. The use of louder sound amplification may be permitted upon request depending on the specifics of the proposed Event (e.g., timing, location, event size, etc.). UAH representatives responsible for managing UAH space (or their designees), which includes UAHPD, maintain full discretion to require that the volume be lowered or muted at any time during the Event if it has the potential to interfere with the academic mission or operation of UAH.

I. Posting Materials, Chalking, & Solicitation

Solicitations, advertisements, promotions, chalking, displays, yard signs or posting materials on UAH's campus by a University affiliate are permissible as provided herein. All other solicitations, promotions, advertisements, chalking, sales, displays, yard signs or postings on campus are prohibited.

1. Posting Printed Materials (e.g., advertisements, solicitations, information, etc.)
- a. Printed materials may be reasonably posted on designated bulletin boards in accordance with these guidelines. Posting of printed materials in any other location inside campus buildings is prohibited.
 - b. Posted materials must not be obscene, illegal, libelous, or directed to and likely to have the effect of inciting or producing imminent lawless action.
 - c. Advertisers are responsible for the removal and proper disposal of all advertising materials within twenty-four (24) hours after the publicized event has occurred or the time limits or conditions of the advertisement have expired.
 - d. Signs placed in the ground with a stake or similar device ("yard signs") may not exceed 18" x 24" in size. Yard signs shall not be placed in flowering or non-flowering landscaping beds, tied to trees, or placed in the areas immediately around the Student Services Building. The total number of related yard signs allowed on campus per event may not exceed twenty (20). Yard signs may be reasonably displayed seventytwo (72) hours before an event and must be removed within twentyfour (24) hours of the event. Signs must be dated. Exceptions to these yard sign limitations may be available with prior written approval from the Division of Student Affairs. Before placing a yard sign on campus, University affiliates should complete the temporary signage paperwork available on the [UAH website](#).
 - e. Printed materials may not be affixed to the outside of UAH buildings or structures, both permanent and temporary, including fences and barricades.
 - f. Placement of printed materials on motor vehicles owned by UAH or third-parties is prohibited.
 - g. Permission for display of printed materials or commercial advertisements in or around all UAH facilities must be approved by the appropriate building director, department, or Dean of the college or school responsible for the building. Permission decisions will be made on a viewpoint neutral basis.

- h. Posted materials that do not comply with this policy may be removed.

2. Chalking

- a. Only University affiliates are allowed to chalk within the guidelines provided herein.
- b. Chalking is only permitted on natural gray concrete sidewalks that are naturally subject to being washed by the rain.
- c. No chalking can occur on sidewalks or building entrances that are covered by a shelter of any type.
- d. No chalking can be closer than twenty (20) feet to a building. A building structure includes all porches, stairs, and drive-thrus attached thereto.
- e. No chalking is permitted on a vertical surface, including the riser portion of stairs and walls.
- f. Chalking is not permitted on any type of brick, concrete paver, and/or engraved surfaces.
- g. The type of chalk used must be washable and not capable of withstanding several rains. Spray chalk is strictly prohibited. Sidewalk chalk is recommended.
- h. Removal of chalk in prohibited areas will be handled by the unit responsible for the given area. Organizations may be contacted by said unit and asked to remove the chalking at their own expense.
- i. Please note that all units have the right to remove chalking for aesthetic and event purposes or if not in compliance with this policy.
- j. If any expense is incurred in the removal of chalk because of a violation of the above policies the organization may be held responsible for all expenses and/or subject to disciplinary action.

J. Violations of these Policy Guidelines

UAH reserves the right to enforce these guidelines by all reasonably necessary means to ensure compliance. Events that are or become non-compliant with these guidelines may be cancelled and/or dispersed. Persons who violate these guidelines may be subject to disciplinary action according to the Code of Conduct, Student Handbook, and/or Faculty Handbook as well as potential law enforcement action. Further, costs to clean up or repair damage associated with an Event may be assessed, as applicable, by charging the costs to a student account, a University account, payroll deduction, and/or any and all other methods allowed by law. Persons or groups that repeatedly violate these guidelines may be prohibited from further use of outdoor space. A University affiliate who invites a nonUniversity individual or group onto campus for an Event may be held responsible for that individual or group's compliance with this and other UAH policies. A non-University participant's failure to comply with this policy may result in appropriate action under state or federal law.

Review Student Affairs will review this policy every five years or sooner as needed.

GENERAL TERMS AND CONDITIONS FOR USE OF OUTDOOR SPACE

Definitions:

- **Agreement:** The terms of these General Terms and Conditions for Use of Outdoor Space, the Policy for Use of Outdoor Areas of Campus, all terms of the applicable form under which You are seeking reservation for an Event (including Grounds Use Reservation application), any Permissive Use Agreement created for use of the space, and all applicable University policies and procedures incorporated therein and applicable thereto.
- **Event:** Any Event or activity requiring reservation pursuant to Sections C. and D. of the Policy for Use of Outdoor Areas of Campus.
- **Premises:** The specific location on UAH property at which Your Event is authorized by UAH to take place.
- **You or Your:** The group, organization, entity, or person requesting permission to hold an Event. The signatory signing the reservation application or registration form represents and warrants that they have full authority to enter into all terms of the Agreement. If You are a group, organization, or other entity, the individual signatory further represents that no further approvals are necessary to authorize their signature. The individual signing will assume personal liability for the Agreement should the group, organization or entity contest such authority or should the group, organization or entity fail to comply with all of the terms and conditions.
- **UAH or University:** The Board of Trustees of the University of Alabama, by and on behalf of The University of Alabama in Huntsville, a public corporation and constitutional instrumentality of the State of Alabama.

- **GUR application:** Collectively, the Grounds Use Reservation application and all other forms required as part of the Grounds Use Reservation application.

Agreement:

You agree to comply with the following general terms and conditions, in addition to all other terms of the Agreement, as a requirement for holding your Event on the Premises of UAH:

1. Use of Premises. UAH may grant and give its consent and permission for You to use and occupy the Premises, for the described Event, at the date and time specifically described in Your approved GUR application. UAH's consent and permission is given subject to and dependent upon You complying with the Agreement. You are limited to the number of persons allowed by UAH for the Event. You will take good care of the Premises, and return the Premises in as good a condition as when received. Your Event is restricted to the approved Premises. Any unauthorized use of other areas will constitute trespass and may be subject to prosecution; at a minimum, You will incur additional charges for cleanup and damages for any such unauthorized use.

2. Charges. The use of certain Premises may require You to pay a reasonable charge to occupy the space. Any such charge would be noted on UAH's Student Affairs webpage and/or in the reservation application for the applicable space. All such charges must be paid in full prior to the Event registration. In addition, You are also responsible for all reasonable costs of supplies and materials for your Event, required personnel, extra charges related to setup or cleanup as described below, costs of insurance, costs of food, beverages, and catering, and any and all reasonable costs of damage to UAH property.

3. Supplies and Materials. All supplies and materials required to conduct the Event must be furnished by You at Your cost, except as specifically agreed otherwise in writing by UAH. UAH may impose additional charges for video or PA setup, or other technical services. Requests for those services must be made in advance.

4. Personnel & Security. You must furnish all personnel necessary to conduct and supervise the Event. UAH may, in its sole discretion, elect to supplement Your personnel with University of Alabama in Huntsville Police Department ("UAHPD") personnel in the interest of protecting the health and safety of the campus community and/or UAH property. UAHPD will determine the need for additional security and emergency medical care services depending on the size and type and event. Additionally, UAHPD may charge You an hourly rate, with a minimum of four hours, for the use of UAHPD officers for an Event expected to have 100 or more people in attendance or an Event that requires traffic control and street shutdowns, such as a 5k race or walk-a-thon; however, there will be no charge for security provided by UAHPD for free speech activity. You must ensure that only those individuals who are Your guests are allowed to enter the Premises. All children shall be accompanied by a parent or an adequate number of supervising and responsible adults, and, if

applicable, You agree to comply with UAH's policies related to child and youth protection, including the Child Protection Policy. You are responsible for all acts and omissions of personnel obtained by You.

5. Set Up, Clean-Up, and Care of Outdoor Space. Unless otherwise agreed in writing by UAH, You are responsible for all set-up, take-down, and clean-up services in connection with the Event, including all decorations, food, beverages, merchandise, and collection of trash and wares. You agree to pay for all repairs (including any repairs to underground utilities or irrigation systems) and cleaning that result from the neglect, use or abuse of the Premises by You or any of Your employees, invitees, guests, or others. You are not allowed to toss or distribute seeds, rice, or confetti at an Event. You may not alter trees, use trees as sign posts, paint roadways, or remove existing University signs.

6. Insurance. Unless granted a specific exception by UAH as noted below, You must provide to UAH a certificate of liability insurance from a carrier acceptable to UAH with an A.M. Best rating of A - VII or higher, as evidence of general liability insurance coverage for the use of the Premises and the Event. This insurance shall be primary coverage, and will contain no terms allowing the insurer to be subrogated to the rights of any injured or damaged person or entity. The general liability insurance policy must name The Board of Trustees of the University of Alabama, its agents, officers, and employees, as additional insureds. General liability insurance shall be in the following minimum amounts: \$1,000,000 per occurrence and \$2,000,000 annual aggregate. All events where minors will participate must obtain sexual assault/molestation insurance in compliance with the Child Protection Policy. Depending on factors such as the location of the Event, size of the Event, duration and timing of the Event, presence of alcohol at the Event, format of the Event, and the presence of other reasonable and objectively acknowledgeable risks involved with Your proposed Event, UAH may require an additional amount of or type of coverage, or may accept a reduced amount of coverage or no insurance. Any limitation or exemption of coverage, however, must be obtained in writing from UAH's Office of Risk Management.

7. Catering. The use of UAH Dining Services for catering of outdoor Events is not required; however, it is encouraged. You (and any approved outside caterer) shall comply with the all licensure and insurance requirements. Food, beverages, and catering shall not be allowed unless approved by UAH in a separate writing made a part hereof. To the extent allowed, You shall be responsible for paying all costs of food, beverages, and catering, which includes, but is not limited to, costs associated with preparation and clean-up. All preparation and service of food and drinks that are not prepackaged must be by a caterer who is licensed and has adequate food liability insurance. UAH reserves the right to request to review a copy of a caterer's liability insurance. You shall be responsible for making all necessary arrangements with the caterer, and paying all expenses and charges of the caterer. Neither You nor any caterer has a right to operate concessions for food, beverages, or officially licensed University merchandise; all such rights are reserved to UAH, unless prior approval is received in accordance with UAH policy. In addition to the other indemnification obligations set

forth in this Agreement, You will indemnify UAH for any claims, losses, or demands made by a caterer against UAH arising from or relating to the Event.

8. Alcohol and Tobacco. Alcohol beverage consumption must comply with all University policies and rules regarding alcohol consumption, including, but not limited to, the Alcoholic Beverage Usage at University Events Policy. UAH is a smoke, tobacco, and vape free campus and subject to the Smoke-and Tobacco-Free Policy.

9. Parking Regulations. You and your employees, invitees, and guests must become familiar with, and comply with, all UAH parking regulations and rules. No dedicated or reserved parking spaces are available to You for the Event, unless UAH specifically agrees to the same in writing.

10. AS-IS/Condition of Premises. UAH makes no warranties or representations regarding the Premises, nor any representations or warranties that the Premises are well suited or fit for a particular purpose or Event. The Premises are provided in an **AS IS** condition. You must examine the Premises prior to the Event and You assume all risks of Your use of the Premises.

11. Laws, Rules, Regulations, Policies, and Procedures. You must comply with all laws, orders, ordinances, rules, fire codes, and regulations of federal, state, city, county, and municipal authorities, including, without limitation, rules and policies of UAH and its officials, and applicable laws regarding equal access and nondiscrimination, such as the Americans with Disabilities Act.

12. No Assignment and Subletting. You may not assign or sublet the Premises, or any part thereof, without the express written consent of UAH. The permission granted under the Agreement is personal to You.

13. Indemnification. You hereby agree to indemnify, hold harmless and defend UAH, its affiliated entities, UAH vendors and contractors rendering services to You in conjunction with the Event or your use of the Premises, and each of their respective trustees, directors, officers, employees, and agents, from and against any and all loss, damage or liability resulting from demands, claims, suits, or actions of any character presented or brought for any injuries, including death, to persons or for damages to property caused by or arising out of any negligent (including strict liability), wanton, reckless, or intentional act or omission of You, any of Your contractors, invitees, guests, employees, or agents, or which otherwise arises out of, relates to, or is attributable to, Your use of the Premises and conduct of the Event. This indemnity shall apply whether the same is caused by or arises out of the joint, concurrent, or contributory negligence of any person or entity. The foregoing indemnity shall include, but not be limited to, court costs, attorney's fees, costs of investigation, costs of defense, settlements, and judgments associated with such demands, claims, suits or actions.

14. Additional Liability. You agree to return the Premises to pre-Event conditions. In the event you fail to return the Premises to pre-Event conditions, you agree to be liable for the reasonable costs

of clean-up, damages, repairs, and/or replacement of any damage to the Premises or UAH property arising out of Your or Your contractors', invitees', guests', employees', agents' or others' use of the Premises or conduct of the Event. This shall apply to any negligent (including strict liability), wanton or intentional act or omission of You or any of Your contractors, invitees, guests, employees, agents, or others. UAH may calculate the reasonable cost of repairing said damage, including labor charges that may include overtime. You also agree to reimburse UAH for any loss of revenues and/or expenses incurred when damage to the Premises results in the cancellation, reduced attendance, or relocation of future, income generating activities.

For University organizations, departments, and registered student organizations, or for Events sponsored by same, the damages assessed by UAH will be deducted from the University Account number that the University organization or department provides on its GUR application.

Individual faculty and staff members holding or sponsoring Events agree to be personally responsible for damages arising therefrom. In the event of damages, UAH will provide the faculty or staff member with an invoice itemizing the amounts owed. If the faculty or staff member fails to pay the invoiced amount within seven (7) days of it being issued, the invoiced amount will be satisfied by payroll deduction (including a lump sum deduction) and by any other method allowed by law.

Individual students holding Events agree to be personally responsible for damages arising therefrom. In the event of damages, UAH will provide the student with an invoice itemizing the amounts owed. If the student fails to pay the invoiced amount within seven (7) calendar days of it being issued, the invoiced amount will be charged to the student's account (and, thereby, subject to the terms and conditions regarding unpaid student accounts). UAH may also pursue collection of these amounts from a student by any other method allowed by law.

15. Governing Law. Your use of the Premises, this Agreement, and any disputes, shall be governed by and construed and enforced in accordance with the laws of the State of Alabama, without regard to conflicts of law principles. Any claims against UAH shall be submitted to the Alabama State Board of Adjustment. UAH does not waive and specifically reserves all immunities to which it is entitled by the laws of the State of Alabama and the United States, including Article I, section 14 of the Constitution of Alabama, and the Eleventh Amendment to the United States Constitution. Exclusive jurisdiction and venue of any claims not barred by immunity, nor required to be filed before the Alabama State Board of Adjustment, shall be in the Circuit Court of Madison County, Alabama, or the United States District Court for the Northern District of Alabama, Northeastern Division.

16. Termination by UAH. UAH shall have the right to withdraw and terminate the permission hereby given at any time without prior notice if You breach or fail to comply with or abide by any of the terms and conditions in the Agreement. Upon any such termination, You agree to promptly vacate the Premises and cease conduct of the Event. You further acknowledge that the primary function for which the Premises exist is the conduct of events and functions of UAH. Therefore, UAH reserves the right, at any time prior to the Event, to cancel this Agreement and refund all unused charges paid by You if the Event will interfere with official UAH activities or in the event of

extenuating circumstances that would render holding of the Event impracticable. You further agree that in the event of any termination by UAH, UAH shall have no liability for any direct or consequential damages or loss that You may suffer or incur as a consequence of such termination.

17. Termination by You. You may cancel the Event, with a full refund of any unused UAH charges, only by sending written notice received by UAH at least thirty (30) days prior to the scheduled Event.

18. Use for Official UAH Function. In the event that a UAH department or division is the user pursuant to this Agreement, then the provisions as to Indemnity (§ 13) shall not apply. The provision as to Insurance (§ 6) may not apply depending upon whether the Event is covered under relevant UAH insurance. If required, payment shall be made by an interdepartmental budget transfer.

19. Copyright Fees, Royalties, and Licenses. You are responsible for securing the consent in writing of the owner of any copyrighted material used by You, and hereby agree to indemnify UAH for any fees, royalties or licenses in connection therewith.

20. Force Majeure. If the Premises are rendered unusable for the Event by reason of Force Majeure, UAH and You are released from their obligations hereunder. UAH will not be responsible for any damages to You, but You will be entitled to a refund of charges paid and not used. Force majeure shall include fire, earthquake, hurricane, flood, severe weather, acts of God, outbreak of communicable disease, or war.

21. No Disruption of UAH Functions. The Premises may not be used in any way, and the Event may not be conducted in any manner, that materially disrupts UAH's teaching, research, administrative, service, or other activities or otherwise negatively impacts UAH's established significant interests. Reasonable modifications or restrictions may be imposed for health and safety concerns, or other conflicts with UAH's educational mission, goals, interests, policies, and procedures.

22. No Animals. With the exception of service animals that are trained to do work or perform tasks for a person with a disability, the use of animals in conjunction with an Event is prohibited without prior written approval from the Division of Student Affairs. The Division of Student Affairs shall consult with the Office of Risk Management prior to granting permission.

23. Code of Student Conduct. Students, student groups, and students sponsored by student groups requesting to hold an Event acknowledge that they are subject at all times to the Code of Student Conduct before, during, and after the Event.

24. Firearms, fireworks, and bonfires. Firearms, fireworks, and bonfires are not permitted on UAH's campus unless approved in writing by the Division of Student Affairs.

25. Digging on campus. All activities requiring any type of digging or driving posts, tent stakes, or signs into the ground require a UAH Dig Permit, which must be obtained and approved in writing through Facilities and Operations.

26. Rentals. Use of items rented for an event, such as port-a-potties, temporary dumpsters, or inflatables must be approved in writing by the Division of Student Affairs. These items must be removed the first business day after the Event.

THE UNIVERSITY OF ALABAMA IN HUNTSVILLE

USE OF FACILITIES

Number 03.01.07

Division Student Affairs

Date Revised December 2020

Purpose The primary purpose of the use of all buildings owned, leased, or operated by The Board of Trustees of The University of Alabama (the “Board”), for and behalf of The University of Alabama in Huntsville (“UAH” or “University”), is to support the University’s educational and research mission. The Board, as an independent, constitutional instrumentality of the state, will, through UAH, regulate access to the facilities on UAH’s campus in a manner that is consistent with applicable laws. This policy is intended to preserve the order necessary to conduct customary University operations and activities, facilitate responsible stewardship of institutional resources, protect the safety of persons and the security of property, and maintain the aesthetic appearance of its facilities.

Use of UAH’s facilities by persons, groups, or organizations affiliated or unaffiliated with UAH will be primarily handled in accordance with this policy.

A. Policy

The facilities of UAH (referred to as “campus space,” “facilities,” and/or “buildings”) are reserved for faculty, staff, and students for their intended academic, administrative, and research purposes. Second priority is given to activities that support the teaching, research, and service components of UAH’s mission. Third priority is given to programs sponsored and conducted by UAH’s academic and administrative departments or organizations affiliated with such departments. Beyond these priorities, use of campus space is primarily permitted for activities that are intended to serve or benefit the UAH community and must not interfere with the academic and/or research mission or operation of UAH.

The available campus space identified in Paragraph C of this policy shall be reserved pursuant to the provisions contained herein. To the extent any other campus space not listed in Paragraph C is made available for use, it must be reserved through the designated person and mechanism applicable to the particular campus space at issue.

For example, space in all academic buildings is under the direction and control of the dean responsible for the respective academic building and, to the extent any space is available to be reserved therein as determined by the dean, such reservation shall be requested through the appropriate reservation mechanism identified thereby. To the extent any research space is made available, such space shall be assigned by the colleges/departments and/or the Vice President for Research and Economic Development through the appropriate reservation mechanism identified thereby. The use of any campus space, whether reserved pursuant to this policy or otherwise, is subject to Paragraph F of this policy as well as all other applicable UAH policies, procedures, and guidelines, along with local, state, and federal laws.

However, the limitations in this policy apply to non-academic, non-research use of space.

B. Who May Use Available Campus Space

Subject to the terms of this policy, the available campus space identified in Paragraph C generally may only be reserved or used by the following:

1. members of the campus community (*i.e.*, UAH faculty, staff, and students);
2. a University academic or administrative unit;
3. a registered student organization;¹ or
4. an individual or organization that is sponsored by (a) the University, (b) a University registered student organization, (c) administrator, or (d) a member of the faculty or staff.

The aforementioned categories of eligible users are collectively referred to in this policy as “University affiliate(s).” Any University affiliate that reserves available campus space must participate in any activity associated with that reservation.

C. Available Campus Space

1. Room 100 of Wilson Hall/Wilson Theater
2. Lobby, Room 109, and Room 107 of the Shelby Center for Science and Technology (“SST”)

¹ A “registered student organization” is one that is properly registered with UAH’s Division of Student Affairs that has not had its available privileges, such as the use of campus space, withdrawn, suspended and/or restricted.

3. Conference Training Center ("CTC")
4. Charger Union Theater
5. Chan Auditorium
6. Morton Hall Auditorium and black box theatre
7. Materials Science Building Chemistry Auditorium
8. Bevill Conference Center Lobby

D. Reservation Process for Use of Available Campus Space and Approval of Campus Use Reservation ("CUR") Applications

In addition to the requirements and limitations of this policy, use of available campus space is further governed by any policy and procedure relevant to specific campus space, the Alcoholic Beverage Usage at University Events Policy, Child Protection Policy, Smoke- and Tobacco-Free Policy, the General Terms and Conditions for Use of Facilities incorporated herein by reference, and all other applicable policies and procedures.

1. Subject to the limited exceptions noted in Paragraph D.5 below, each applicant for an event using available campus space ("Event") must register their Event by completing a CUR application. The CUR application and General Terms and Conditions for Use of Facilities is available online at <https://sites.google.com/a/uah.edu/conferences-and-events/home/forms>.
2. To facilitate the review by various UAH departments that have responsibility for different aspects of an Event that utilizes available campus space (e.g., food service, security, electrical service, etc.), applicants for use of available campus space are strongly encouraged to submit a CUR application at least thirty (30) days prior to the Event. At a minimum, a CUR application must be submitted at least fourteen (14) days prior to the planned Event. The CUR application will be approved or denied within seven (7) days of receipt.
3. Upon receipt of the CUR application, the UAH Associate Director of Conference and Events will forward same via e-mail to the Chief of Police for the University of Alabama in Huntsville Police Department ("UAHPD"), the Office of Risk Management, Facilities and Operations, and Environmental Health and Safety.
4. The UAH Associate Director of Conferences and Events will approve a CUR application properly made by an appropriate University affiliate unless there are reasonable grounds to believe that one or more of the following conditions are present:

- a. The applicant has had its/their available privileges, such as the use of certain campus space, withdrawn, suspended, and/or restricted.
 - b. The proposed available campus space is unavailable at the time requested because of conflicting events previously planned in or around that location.
 - c. The proposed date, time, or requested available campus space is unreasonable given the nature of the Event and/or the impact it would have on UAH's resources and teaching and research mission.
 - d. The Event would present logistical complexities that cannot be accommodated based on when the CUR application was submitted, the size of the Event, and when the Event is to occur.
 - e. The Event would unreasonably prevent, disturb, or interfere with the academic, administrative, research, service, or outreach activities of UAH.
 - f. The Event would not comply with the provisions of Paragraph F (General Provisions Applying to All Use of Campus Space).
 - g. The Event would reasonably constitute an immediate and actual danger to UAH faculty, staff, or students or to the peace or security of UAH, and, in the case of an invited speaker, that available law enforcement officials could not control with reasonable effort.
 - h. The University affiliate who submits the CUR application has on prior occasions damaged UAH property and has not paid in full for such damage.
 - i. The requested use of available campus space is inconsistent with the terms of this policy.
5. If issued, a permit granting use of available campus space shall (a) specify the area to be used; (b) the date for which the use is approved; (c) the time at which the reservation for the use begins and expires, and (d) any special provision(s) concerning the use of the campus space. If denied, the Associate Director of Conference and Events will set forth in writing the grounds for denial, including, if applicable, any measures that would cure any defects in the application.

E. Appeal of Denial of CUR Application

1. A University affiliate whose request for use of available campus space is denied may appeal to the Vice President for Student Affairs.
 - a. Appeals should be filed in writing with the Office of the Vice President for Student Affairs within five (5) business days² of the denial of the CUR application.
 - b. The Vice President for Student Affairs (or designee), shall convey the appeal decision in writing to the applicant and the Associate Director of Conference and Events within fourteen (14) days after receiving the appeal.
2. The decision of the Vice President for Student Affairs on any appeal shall be final.

F. General Provisions Applying to All Use of Campus Space

The following requirements/limitations apply to **ALL** campus space, however their application is limited to the primary scope of this policy, which is non-academic, non-research use of space:

1. Persons may not block or otherwise interfere with the free flow of vehicular, bicycle, or pedestrian traffic to attend an Event or other activity in campus space. The right of way on streets and sidewalks must be maintained.
2. Persons may not block or otherwise interfere with ingress and egress into and out of campus space.
3. Persons shall not obstruct, disrupt, interrupt, or attempt to force the cancellation of any Event or other activity in campus space sponsored by UAH or by any individual/group authorized to use campus space.
4. Persons shall not engage in physically abusive or threatening conduct toward any person or group.

² A University business day means any day when UAH is in operation. It does not include Saturdays, Sundays, University holidays, or other days when normal business operations are suspended.

5. Persons shall always comply with the directions of UAH public safety personnel, including the UAH Police Department (“UAHPD”).
6. Persons shall not prevent, obstruct, or interfere with regular academic, administrative, student activities, or other approved activities at UAH.
7. The safety and well-being of members of the campus community collectively and individually, as well as the educational experience and other significant interests of UAH as outlined herein, must be protected at all times. UAH maintains the right to impose reasonable time, place, and manner restrictions
for Events and activities occurring in campus space in a viewpoint-neutral manner to ensure that expressive activity is protected and that expression does not disrupt the ordinary activities of the institution. This includes, but is not limited to, modifying, disbanding or relocating an Event or activity that conflicts with previously scheduled events in or around that space or that reasonably creates a health or safety risk to persons or risk to property on campus.
8. UAH property must be protected at all times.
9. Persons on UAH’s property may be required to provide identification and evidence of qualification to a UAH official upon request. Evidence of qualification means evidence that the person is a currently registered student, staff or faculty member at the institution, is a University affiliate, or has lawful activity to pursue at UAH.
10. Persons engaging in activities on UAH property are subject to and must comply with all applicable UAH policies and procedures.
11. Any person or group holding an Event or other activity in campus space must remove all trash and other items associated with same and return the campus space to its pre-existing condition as soon as the Event or activity is concluded. UAH will assess the reasonable costs of returning the campus space to its pre-existing condition (including damages, labor, repairs, replacement, etc.) and/or cleanup to those persons or group failing to comply with this requirement.

12. Because campus space may be used by one or more groups at any given time, noise levels must be kept to a minimum and children should always be supervised by an adult.
13. Campus space is governed by the Smoke-and Tobacco-Free Policy.
14. Fireworks, luminaries, candles, and other open flames are not permitted in any campus space.
15. With the exception of service animals that are trained to do work or perform tasks for a person with a disability, the use of animals in conjunction with an Event or other activity in campus space is prohibited without prior written approval from the Division of Student Affairs. The Division of Student Affairs shall consult with the Office of Risk Management prior to granting permission.
16. No Event may last longer than eight (8) hours during a 24-hour period or more than two (2) days in a row without prior written approval from the Division of Student Affairs.

G. Activities of Expression

The primary function of a university is to discover and disseminate knowledge by means of research, teaching, discussion, and debate. To fulfill this function, free and open inquiry and expression of ideas is necessary within UAH by its University affiliates. At UAH, freedom of expression and assembly is vital to the pursuit of knowledge. Such freedom comes with a responsibility to welcome and promote this freedom for all, even in disagreement, opposition, or even offense.

The ideas of different members of a campus community will often and quite naturally conflict, but it is not the proper role of UAH to shield or attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. Although great value is placed on civility, and while all members of the campus community share in the responsibility for maintaining a climate of mutual respect, concerns about civility and mutual respect can never be used to justify closing off the otherwise lawful discussion of ideas among members of the campus community, however offensive or disagreeable those ideas may be to some.

The freedom to debate and discuss the merits of competing ideas does not, of course, mean that individuals may say whatever they wish, wherever they wish. UAH may restrict expression or assembly that violates the law, falsely defames a specific individual,

constitutes a genuine threat or harassment, unjustifiably invades substantial privacy or confidentiality interests, or that is otherwise incompatible with the functioning of the institution. Likewise, UAH has a significant interest in protecting the educational experience of its students, in ensuring health, safety, and order on its campus, in regulating competing uses of its facilities and grounds, and in protecting the safety and wellbeing of those with the right to use its facilities and grounds to engage in protected speech, among other significant interests. As a result, UAH may reasonably regulate the time, place, and manner of expression in a viewpoint-neutral manner to ensure that these interests are protected and that expression does not disrupt the ordinary activities of the institution. These are exceptions to the general principle of freedom of expression, and it is vitally important that these exceptions never be used in a manner that is inconsistent with an institution's commitment to a free and open discussion of ideas among its campus community.

Except as provided herein, persons who are not members of the UAH student body, faculty, or staff may only participate in these types of Events upon the invitation of a University affiliate who is actively participating in same.

1. Special Guidelines for Invited Speakers

Where an invited speaker is the object of protest, persons may demonstrate and/or distribute materials outside the campus space in accordance with the Policy for Use of Outdoor Areas. Persons who wish to attend an Event or other activity in campus space involving an invited speaker must do so as members of the audience and must give the speaker a respectful hearing (e.g., do not interrupt, etc.). Failure to grant the speaker a respectful hearing may result in the offending person(s) being asked to leave or being removed. Signs, placards, or similar paraphernalia associated with a demonstration shall not be carried into any campus space. This provision is focused on preventing material and substantial interferences. It does not prevent attendees from engaging in silent, nonobstructive protests (e.g., turning their backs on a speaker, etc.) or respectfully engaging a speaker in discussion or debate when the speaker provides that opportunity to the audience.

2. Special Guidelines for Material Distribution (e.g., distribution of leaflets, pamphlets, written materials, etc.)

- a. "Distribution" is defined as and limited to individuals handing materials to other individuals who may accept them or refrain from receiving them.

- b. University affiliates may distribute leaflets, pamphlets, written materials in conjunction with an Event.
- c. Persons distributing such materials are expected to refrain from littering and to encourage the same from others. An individual's right to privacy must be respected. Thus, no person may attempt to threaten, intimidate, or badger another individual into viewing or accepting a copy of any material. Further, no person may persist in requesting or demanding the attention of another individual who has attempted to walk away or has clearly expressed no interest in the material. For purposes of this paragraph, leaving materials unattended on a surface to be picked up before the date of an Event or after an event has concluded is considered littering, not distribution.
- d. Materials may not be distributed door to door in residence halls or academic buildings.

H. Posting Printed Materials, Solicitation, and Commercial Activities

The posting of printed materials in campus space by a University affiliate is permissible as provided herein. The posting of printed materials may also be subject to any additional restrictions contained in policies concerning a specific campus space, such as Charger Union, the CTC, or Student Services Building.

- 1. Posting Printed Materials (e.g., advertisements, promotions, information, etc.)
 - a. Printed materials, including commercial advertisements and promotions, may be reasonably posted on designated, general use bulletin boards in accordance with these guidelines.
 - b. Other than general use bulletin boards, permission for display of printed materials in or around campus space (including locked bulletin boards or those associated with a particular office) must be approved by the appropriate building director, department, or dean of the college or school responsible for the building.
 - c. Printed materials should be 11" x 17" or smaller, placed in a plastic jacket, and neatly displayed

- d. Advertisers are responsible for the removal and proper disposal of all advertising materials within twenty-four (24) hours after the publicized event has occurred or the time limits or conditions of the advertisement have expired.
- e. Posted materials must not be false, misleading, deceptive, obscene, illegal, or libelous, and must not be directed to and likely to have the effect of inciting or producing imminent lawless action.
- f. Posted materials must not be attached to or placed on any building or facility, including any interior or exterior walls, doors, windows, etc., unless related to an official UAH matter.
- g. Posted materials that do not comply with this policy will be removed.

2. Solicitation and Commercial Activities, etc.

- a. Solicitation of contributions or fundraising by or for a public official, candidate for public office, or a representative of an official or candidate is not permitted in campus space.
- b. UAH reserves the right to disallow any political activity that may reasonably imply its endorsement of a political party or candidate, including the use of UAH symbols and landmarks.
- c. Vendors at an Event (and not under an express UAH contract) may set up a table or booth for product displays or information, distribution of product literature only if the person or organization applies for and receives written permission along with their approved CUR application. Permission will be granted provided (i) the person or organization is sponsored by a UAH organization; (ii) the proposed solicitation activity and product is compatible with the educational mission of UAH and is not prohibited by law or other contractual limitation; and (iii) the person or organization agrees to comply with the time, place, and manner regulations set out in this policy.
- d. University affiliates must receive permission in writing from the Division of Student Affairs before conducting commercial activities at an Event.

I. Violations of these Policy Guidelines

UAH reserves the right to enforce these guidelines by all reasonably necessary means to ensure compliance. Events or other activity in campus space that are or become non-compliant with these guidelines may be cancelled and/or dispersed. Persons who violate these guidelines may be subject to disciplinary action according to the Code of Conduct, Student Handbook, and/or Faculty Handbook as well as potential law enforcement action. Further, costs to clean up or repair damage associated with an Event or other activity in campus space may be assessed, as applicable, by charging the costs to a student account, a University account, payroll deduction, and/or any and all other methods allowed by law. Persons or groups that repeatedly violate these guidelines may be prohibited from further use of campus space. A University affiliate who invites a non-University individual or group onto campus or into campus space may be held responsible for that individual or group's compliance with this and other UAH policies. A non-University participant's failure to comply with this policy may result in appropriate action under state or federal law.

Review Student Affairs will review this policy every five (5) years or sooner as needed.

GENERAL TERMS AND CONDITIONS FOR USE OF FACILITIES

Definitions:

- **Agreement:** The terms of these General Terms and Conditions for Use of Facilities, the Policy for Use of Facilities, all terms of the applicable form under which You are seeking registration of an Event (including Campus Use Reservation application); any Permissive Use Agreement created for use of the space, and all applicable University policies and procedures incorporated therein and applicable thereto.

- **Event:** Any Event or activity requiring registration pursuant to Section D. of the Policy for Use of Facilities.
- **Premises:** The specific location on UAH property at which Your Event is authorized by UAH to take place.
- **You or Your:** The group, organization, entity or person requesting permission to hold an Event. The signatory signing the reservation application or registration form represents and warrants that they have full authority to enter into all terms of the Agreement. If You are a group, organization, or other entity, the individual signatory further represents that no further approvals are necessary to authorize their signature. The individual signing will assume personal liability for the Agreement should the group, organization or entity contest such authority or should the group, organization or entity fail to comply with all of the terms and conditions.
- **UAH or University:** The Board of Trustees of the University of Alabama, by and on behalf of The University of Alabama in Huntsville, a public corporation and constitutional instrumentality of the State of Alabama.
- **CUR application:** Collectively, the Campus Use Reservation application and all other forms required as part of the Campus Use Reservation application.

Agreement:

You agree to comply with the following general terms and conditions, in addition to all other terms of the Agreement, as a requirement for holding your Event on the Premises of UAH:

1. Use of Premises. UAH may grant and give its consent and permission for You to use and occupy the Premises, for the described Event, at the date and time specifically described in Your approved CUR application. UAH's consent and permission is given subject to and dependent upon You complying with the Agreement. You are limited to the number of persons allowed by UAH for the Event. You will take good care of the Premises, and return the Premises in as good a condition as when received. Your Event is restricted to the approved Premises. Any unauthorized use of other areas will constitute trespass and may be subject to prosecution; at a minimum, You will incur additional charges for cleanup and damages for any such unauthorized use.

2. Charges. The use of certain Premises may require You to pay a reasonable charge to occupy the space. Any such charge would be noted on UAH's Student Affairs webpage and/or in the reservation application for the applicable space. All such charges must be paid in full prior to the Event registration. In addition, You are also responsible for all reasonable costs of supplies and materials for your Event, required personnel, extra charges related to setup or cleanup as described below, costs of insurance, costs of food, beverages, alcohol, and catering, and any and all reasonable costs of damage to UAH property.

3. Supplies and Materials. All supplies and materials required to conduct the Event must be furnished by You at Your cost, except as specifically agreed otherwise in writing by UAH. UAH may impose additional charges for audio-video or other technical services. Requests for those services must be made in advance.

4. **Personnel & Security.** You must furnish all personnel necessary to conduct and supervise the Event. UAH may, in its sole discretion, elect to supplement Your personnel with University of Alabama in Huntsville Police Department (“UAHPD”) personnel in the interest of protecting the health and safety of the campus community and/or UAH property. UAHPD will determine the need for additional security and emergency medical care services depending on the size and type and event. Additionally, UAHPD may charge You an hourly rate, with a minimum of four hours, for the use of UAHPD for an Event expected to have 100 or more people in attendance or an Event that requires traffic control or a street shutdown; however, there will be no charge for security provided by UAHPD for free speech activity. You must ensure that only those individuals who are Your guests are allowed to enter the Premises. All children shall be accompanied by a parent or an adequate number of supervising and responsible adults, and, if applicable, You agree to comply with UAH’s policies related to child and youth protection, including the Child Protection Policy. You are responsible for all acts and omissions of personnel obtained by You.

5. **Set Up, Clean-Up, and Care of Facilities.** Unless otherwise agreed in writing by UAH, You are responsible for all set-up, take-down, and clean-up services in connection with the Event, including all decorations, food, beverages, merchandise, and collection of trash and wares. You agree to pay for all repairs and cleaning that result from the neglect, use or abuse of the Premises by You or any of Your employees, invitees, guests, or others. You are not allowed to toss or distribute seeds, rice, or confetti at an Event. You may not remove furniture from lobby areas, hang decorations on any painted surface in facilities, or use tape, tacks, or nails.

6. **Insurance.** Unless granted a specific exception by UAH as noted below, You must provide to UAH a certificate of liability insurance from a carrier acceptable to UAH with an A.M. Best rating of A - VII or higher, as evidence of general liability insurance coverage for the use of the Premises and the Event. This insurance shall be primary coverage, and will contain no terms allowing the insurer to be subrogated to the rights of any injured or damaged person or entity. The general liability insurance policy must name The Board of Trustees of the University of Alabama, its agents, officers, and employees, as additional insureds. General liability insurance shall be in the following minimum amounts: \$1,000,000 per occurrence and \$2,000,000 annual aggregate. All events where minors will participate must obtain sexual assault/molestation insurance in compliance with the Child Protection Policy. Depending on factors such as the location of the Event, size of the Event, duration and timing of the Event, presence of alcohol at the Event, format of the Event, and the presence of other reasonable and objectively acknowledgeable risks involved with Your proposed Event, UAH may require an additional amount or type of coverage, or may accept a reduced amount of coverage or no insurance. Any limitation or exemption of coverage, however, must be obtained in writing from UAH’s Office of Risk Management.

7. **Catering.** The use of UAH Dining Services is required for catering services in the Conference Training Center, Charger Union, Student Services Building, and the Beville Center. You must obtain permission in writing from the Division of Student Affairs for the use of any outside

catering services or provision of food and beverages in all other space. You (and any approved outside caterer) shall comply with the all licensure and insurance requirements. To the extent allowed, You shall be responsible for paying all costs of food, beverages, and catering, which includes, but is not limited to, costs associated with preparation and clean-up. All preparation and service of food and drinks that are not prepackaged must be by a caterer who is licensed and has adequate food liability insurance. UAH reserves the right to request to review a copy of a caterer's liability insurance. You shall be responsible for making all necessary arrangements with the caterer, and paying all expenses and charges of the caterer. Neither You nor any caterer has a right to operate concessions for food, beverages, or officially licensed University merchandise; all such rights are reserved to UAH, unless prior approval is received in accordance with UAH policy. In addition to the other indemnification obligations set forth in this Agreement, You will indemnify UAH for any claims, losses, or demands made by a caterer against UAH arising from or relating to the Event.

8. Alcohol and Tobacco. Alcohol beverage consumption must comply with all University policies and rules regarding alcohol consumption, including, but not limited to, the Alcoholic Beverage Usage at University Events Policy. UAH is a smoke, tobacco, and vape free campus subject to the Smoke-and Tobacco-Free Policy.

9. Parking Regulations. You and your employees, invitees, and guests must become familiar with, and comply with, all UAH parking regulations and rules. No dedicated or reserved parking spaces are available to You for the Event, unless UAH specifically agrees to the same in writing.

10. AS-IS/Condition of Premises. UAH makes no warranties or representations regarding the Premises, nor any representations or warranties that the Premises are well suited or fit for a particular purpose or Event. The Premises are provided in an **AS IS** condition. You must examine the Premises prior to the Event and You assume all risks of Your use of the Premises.

11. Laws, Rules, Regulations, Policies, and Procedures. You must comply with all laws, orders, ordinances, rules, fire codes, and regulations of federal, state, city, county, and municipal authorities, including, without limitation, rules and policies of UAH and its officials, and applicable laws regarding equal access and nondiscrimination, such as the Americans with Disabilities Act.

12. No Assignment and Subletting. You may not assign or sublet the Premises, or any part thereof, without the express written consent of UAH. The permission granted under the Agreement is personal to You.

13. Indemnification. You hereby agree to indemnify, hold harmless and defend UAH, its affiliated entities, UAH vendors and contractors rendering services to You in conjunction with the Event or your use of the Premises, and each of their respective trustees, directors, officers, employees, and agents, from and against any and all loss, damage or liability resulting from demands, claims, suits, or actions of any character presented or brought for any injuries, including death, to

persons or for damages to property caused by or arising out of any negligent (including strict liability), wanton, reckless, or intentional act or omission of You, any of Your contractors, invitees, guests, employees, or agents, or which otherwise arises out of, relates to, or is attributable to, Your use of the Premises and conduct of the Event. This indemnity shall apply whether the same is caused by or arises out of the joint, concurrent, or contributory negligence of any person or entity. The foregoing indemnity shall include, but not be limited to, court costs, attorney's fees, costs of investigation, costs of defense, settlements, and judgments associated with such demands, claims, suits or actions.

14. Additional Liability. You agree to return the Premises to pre-Event conditions. In the event you fail to return the Premises to pre-Event conditions, you agree to be liable for the reasonable costs of clean-up, damages, repairs, and/or replacement of any damage to the Premises or UAH property arising out of Your or Your contractors', invitees', guests', employees', agents' or others' use of the Premises or conduct of the Event. This shall apply to any negligent (including strict liability), wanton or intentional act or omission of You or any of Your contractors, invitees, guests, employees, agents, or others. UAH may calculate the reasonable cost of repairing said damage, including labor charges that may include overtime. You also agree to reimburse UAH for any loss of revenues and/or expenses incurred when damage to the Premises results in the cancellation, reduced attendance, or relocation of future, income generating activities.

For University organizations and departments and registered student organizations, or for Events sponsored by same, the damages assessed by UAH will be deducted from the University account number that the organization or department provides on its CUR. If a registered student organization does not have a University account, it will still be responsible for any damages assessed.

Individual faculty and staff members holding or sponsoring Events agree to be personally responsible for damages arising therefrom. In the event of damages, UAH will provide the faculty or staff member with an invoice itemizing the amounts owed. If the faculty or staff member fails to pay the invoiced amount within seven (7) days of it being issued, the invoiced amount will be satisfied by payroll deduction (including a lump sum deduction) and by any other method allowed by law.

Individual students holding Events agree to be personally responsible for damages arising therefrom. In the event of damages, UAH will provide the student with an invoice itemizing the amounts owed. If the student fails to pay the invoiced amount within seven (7) calendar days of it being issued, the invoiced amount will be charged to the Student's account (and, thereby, subject to the terms and conditions regarding unpaid student accounts). UAH may also pursue collection of these amounts from a student by any other method allowed by law.

15. Governing Law. Your use of the Premises, this Agreement, and any disputes, shall be governed by and construed and enforced in accordance with the laws of the State of Alabama, without regard to conflicts of law principles. Any claims against UAH shall be submitted to the Alabama State Board of Adjustment. UAH does not waive and specifically reserves all immunities to

which it is entitled by the laws of the State of Alabama and the United States, including Article I, section 14 of the Constitution of Alabama, and the Eleventh Amendment to the United States Constitution. Exclusive jurisdiction and venue of any claims not barred by immunity, nor required to be filed before the Alabama State Board of Adjustment, shall be in the Circuit Court of Madison County, Alabama, or the United States District Court for the Northern District of Alabama, Northeastern Division.

16. Termination by UAH. UAH shall have the right to withdraw and terminate the permission hereby given at any time without prior notice if You breach or fail to comply with or abide by any of the terms and conditions in the Agreement. Upon any such termination, You agree to promptly vacate the Premises and cease conduct of the Event. You further acknowledge that the primary function for which the Premises exist is the conduct of events and functions of UAH. Therefore, UAH reserves the right, at any time prior to the Event, to cancel this Agreement and refund all unused charges paid by You if the Event will interfere with official UAH activities or in the event of extenuating circumstances that would render holding of the Event impracticable. You further agree that in the event of any termination by UAH, UAH shall have no liability for any direct or consequential damages or loss that You may suffer or incur as a consequence of such termination.

17. Termination by You. You may cancel the Event, with a full refund of any unused UAH charges, only by sending written notice received by UAH at least thirty (30) days prior to the scheduled Event.

18. Use for Official UAH Function. In the event that a UAH department or division is the user pursuant to this Agreement, then the provisions related to Indemnity (§ 13) shall not apply. The provision as to Insurance (§ 6) may not apply depending upon whether the Event is covered under relevant UAH insurance. If required, payment shall be made by an interdepartmental budget transfer.

19. Copyright Fees, Royalties, and Licenses. You are responsible for securing the consent in writing of the owner of any copyrighted material used by You, and hereby agree to indemnify UAH for any fees, royalties or licenses in connection therewith.

20. Force Majeure. If the Premises are rendered unusable for the Event by reason of Force Majeure, UAH and You are released from their obligations hereunder. UAH will not be responsible for any damages to You, but You will be entitled to a refund of charges paid and not used. Force majeure shall include fire, earthquake, hurricane, flood, severe weather, act of God, outbreak of communicable disease, or war.

21. No Disruption of UAH Functions. The Premises may not be used in any way, and the Event may not be conducted in any manner, that materially disrupts UAH's teaching, research, administrative, service, or other activities or otherwise negatively impacts UAH's established significant interests. Reasonable modifications or restrictions may be imposed for health and safety

concerns, or other conflicts with UAH's educational mission, goals, interests, policies, and procedures.

22. No Animals. With the exception of service animals that are trained to do work or perform tasks for a person with a disability, the use of animals in conjunction with an Event is prohibited without prior written approval from the Division of Student Affairs. The Division of Student Affairs shall consult with the Office of Risk Management prior to granting permission.

23. Code of Student Conduct. Students, student groups and students sponsored by student groups requesting to hold an Event acknowledge that they are subject at all times to the Code of Student Conduct before, during, and after the Event.

Revised July 1, 2020

Faculty Senate Bill 459: Handbook Chapter 4 Ombudsperson

History: Passed First Reading at FSEC Mar. 4, 2021
At Faculty Senate for Second Reading on Mar. 11, 2021

WHEREAS, the UAH Faculty Senate approved Chapter 4 of the Faculty Handbook in January 21, 2021, without a section on the election and duties of the Ombudsperson, and

WHEREAS, a Senate sub-committee has revised the language of section 4.11. Ombudsperson

NOW THEREFORE BE IT RESOLVED:

That the text that follows be considered approved by the UAH Faculty Senate as the new section 4.11. of Chapter 4 of the UAH Faculty Handbook, and

BE IT FURTHER RESOLVED:

That upon final Senate approval and notice from the Administration of its concurring approval of this resolution, that the text that follows be adopted as the new Section 4.11. of Chapter 4 of the UAH Faculty Handbook, and

BE IT ALSO RESOLVED:

That the Senate officers shall update the Faculty Senate web page with the revised Section 4.11. of Chapter 4 that follows, provided both final Senate approval and Administration notice of concurring approval of this resolution have been received.

4.11 Ombudsperson

The faculty ombudsperson is a faculty member at the rank of Associate Professor or higher. The Provost appoints an ombudsperson selected from two nominees favorably recommended for appointment by the Faculty Senate. Said nominees will be determined as follows. First, any interested party shall submit an application to the Faculty Senate Executive Committee, who shall vote to prepare a slate of candidates, each of whom has the majority support from the FSEC. Preference will be given to candidates who have served at least one term in the Faculty

Senate. Second, that slate will be voted on by the eligible faculty, in the same season as the Senate officer elections. The two candidates with the highest number of votes are the two nominees. The ombudsperson's appointment, typically a one-third time appointment during the academic year, will include one three-credit-hour course release per semester and a summer stipend of \$ 10,000, as of 2021, and increasing with the average raise pool. The length of term is two academic years. The current ombudsperson may reapply to FSEC. As the university grows in size, and the requirements of the position grow proportionally, both the course release and stipend will be adjusted to reflect the increased work load. The faculty ombudsperson follows the International Ombudsman Association Standards of Practice and must undergo the training provided by the International Ombudsman Association.

Senate Bill 455: Student Enrollment of Academic Program

History: Received on October 22, 2020 and introduced to the FSEC on November 5, 2020.

Passed First Reading at FSEC, Nov. 5, 2020.

On Mar. 4, 2021, FSEC Scheduled for Second Reading, to occur at next Senate meeting.

At Faculty Senate for Second Reading on Mar. 11, 2021.

Whereas, student enrollment is an important determinant of the growth of a college and a department; and

Whereas, it is the primary responsibility of the Dean and Chairs of each college to develop programs to promote and maintain student enrollment; and

Whereas, the faculty handbook does not clearly specify this responsibility; therefore,

Therefore, be it resolved that the faculty handbook adds the following terms to the section of 4.3 and 4.5

4.3 Responsibilities and Duties of a Dean

After “The dean is the chief operating officer of the college and has overall responsibility for instructional, research, and service programs”, add “student enrollment”.

4.5 Responsibilities and Duties of a Department Chair

After “to provide comprehensive programs of academic advising that involve the faculty and support the university's student recruitment, services, and retention programs”, add “to work with the faculty of a department and develop programs to promote and maintain student enrollment”.

Senate Bill 454: Academically Qualification and Selection of PTAC and URB Members

History: Received on October 22, 2020 and Introduced to the FSEC on November 5, 2020. Assigned to Committee that day.

FSEC took up bill again on Mar. 4, 2021.

FSEC conducted First Reading of bill on Mar. 4, 2021, scheduling it for Second Reading for the next Senate meeting.

At Faculty Senate for Second Reading Mar. 11, 2021.

Whereas, academic qualification of tenure-track and tenured faculty reflects the research and teaching capability of faculty; and

Whereas, academically disqualified faculty are not in a position to evaluate the qualification of other faculty for tenure and promotion; and

Whereas, the faculty handbook does not clearly specify this condition in the selection of Promotion and Tenure Advisory Committee (PTAC) members and University Review Board (URB) members; therefore

Therefore, be it resolved that the faculty handbook adds the following terms to the section of 7.9.8 and 7.9.11:

7.9.8 Selection of the College Promotion and Tenure Advisory Committee

After “All PTAC nominees must be tenured faculty members and hold the rank of professor or associate professor”, add “All PTAC nominees must be academically qualified and each college should determine the standard of academic qualification on its own”.

7.9.11 University Review Board

After “Review Board members must hold the rank of professor or associate professor, be tenured, and have at least five years of full-time academic experience on university faculties”, add “Review Board members must be academically qualified and each college should determine the standard of academic qualification on its own”.

FACULTY SENATE EXECUTIVE MEETING

March 4, 2021

12:15 PM to 2:00 PM

OKT N142

Present: Tim Newman, Kwaku Gyasi, Mike Banish, Kader Frendi, Carmen Scholz, Jeff Weimer, Carolyn Sanders, Emil Jovanov

Present via Zoom: Laird Burns, Paul Whitehead

Guest: Ex-Officio: Provost Christine Curtis, President Darren Dawson

- **Faculty Senate President Tim Newman called the meeting to order at 12:55 PM.**
- **Meeting Review**
 - **Bill 459 passed first reading and placed on faculty senate agenda.**
 - **Bill 454 passed first reading and placed on faculty senate agenda.**
 - **Bill 455 passed first reading and placed on faculty senate agenda.**
 - **Policy 03.01.06 voted to be placed on senate agenda.**
 - **Policy 03.01.07 voted to be placed on senate agenda.**
- **Administrative Reports**
 - **President Dawson**
 - The facilities report haven't changed since last week.
 - We are still pursuing the vaccines as hard as we can. The system thought they would be able to get vaccines transferred. The ADPH has to approve the transfer so they have sent that over to them.
 - Carmen – Thank you for the quick response on the lab hygiene plan protocol. I take it the faculty can relax for right now? Within the next six months we will clean up the problem.
 - President- We will let Bob Linquist work to clean the problem.
 - Paul – With the announcement of fall being returned to normal, will mask still be required?
 - President – We haven't commented on that. We will make a decision later.
 - Jeff – Your recent statement left open the idea that we would not be requiring mask after April.
 - President – We will release a statement following the state. I am sure we will require mask through the semester.
 - **Provost Curtis**
 - Our discussion about spring semester and prep for fall semester is the same as what the President has stated. We assume the same health and safety requirements remain through spring semester. They will continue to discuss the requirements with the task force. Charlie Taylor will call meetings as issues arise for summer and fall semesters. We will have to keep the website updated. My anticipation is we

will continue as we are through spring semester. I don't know for sure and don't know about summer for on campus.

- Class schedules are currently being prepared. We will be in the class full this fall. The rules for vaccinated individuals are listed here. I mentioned all this last time. There are rules for quarantine, visitor protocols. We will start student orientation in May. There will be camps on campus this summer. The dining protocols have kept them at lowest occupancy. Now they are able to operate like all other restaurants.
- We are coming back in full this fall with no social distancing. We don't know about mask at this point. We are silent until we get the ruling from the health and safety task force. I don't expect them to rule early. They will be watching the vaccine rollout.
 - Kader – You mentioned dining. Does this mean the return to self-service?
 - Provost – I don't think so. The only thing that is being relaxed as I understand it is the occupancy. Any social events the students have can have food but it is prepackaged.
- I wanted to let you know that there have been a large number of reappointments that have come through. RPT worked fine for all of them. Michele was able to load the responses and send back to the faculty. The system worked fine. The only thing was my delay time but nothing related to the university or system. The RPT was easy to follow and pull up exactly what was needed. I think the later set of reappointments are with the colleges and I will see them soon.
- Carmen asked a question last Thursday. The contractor had unplugged equipment and that has been fixed. There is continued work. In January, we started work. Some of the older equipment couldn't handle some of the newer cards. We are starting to place orders. John Tigerson has left. We will be working with ETL in the Provost Office to process the orders. There will be more disruption. I have to warn you. We will be replacing projectors. We will be placing sensors in the classroom. If no one is in there, the projectors will turn off. Carmen also asked about equipment being made available to the faculty. Since the library already has a media library for checkout. The equipment is going to the library so that it can be checked out. This will be made available to the faculty.
- Tim asked that the faculty senate be asked for Dean searches and compensation committees. The committee I have put together to find the best replacement for Dr. Marsha Adams. This is the list of individuals. I am accepting any feedback on this selection. The first meeting is set for tomorrow. We can always add if needed.
 - Jeff – Thank you for the update on the A/V work. As they begin to schedule those jobs for the rooms, can there be a notice posted a week in advance with a timeline for how long it will be out of commission?
 - Provost – Yes, that is an excellent idea. The leadership of the ETL has now changed. Michelle Green is the leader now. She is very aware of issues with the equipment. I am meeting with her early next week and will give her this request. I am sure they will do their best to accommodate your request. They are trying to get out ahead and be helpful.
 - Jeff – Since we know the schedules to the extent that they recommend an alternative room during that time.

- Carmen – Talking about fall semester, freshman and sophomore courses will have online section, then you said no remote sections. Are you saying in classroom and separate online class?
- Carmen- I understand that the online courses we have had in the past will continue online and not tagged on to the ones that teach, but separate?
- Kader – Is that in order to minimize QEPO requirements?
- Provost – It has nothing to do with QEPO. We are just trying to help our students. There are lots of ways we can help a student. It may be that the student could take that course next semester and another this semester and it work out. I don't know the accommodation but individual to the student.
- Paul – The faculty that did dedicate the time to QEPO training, I had a colleague state that he wants the class to stay online due to all his efforts to get it online.
- Provost – We want to have full campus activity. We want it to be a vibrant on campus experience. We want to give students flexibility. To keep enrollment, we have to. There are some courses that we have put online that the faculty find are better taught online. We are not trying to tell the faculty, Chair or Deans how to teach the course. We don't want everything online. Individual courses are decided by the faculty, Chair, and Dean.
- Carolyn – I want to thank you for your attention to the issue over the projectors. Our music building classroom I am on our third projector. I was told there weren't really inventory and they put a few together. Another class lost their projector and they worked diligently to get another one. My concern is in the fall, when classes are at the premium that could be a problem. I don't know how to teach romantic opera without the students seeing it. I am hoping for the fall there will be an extra projector in inventory.
- Provost – There were 100 projectors ordered. Reason being, they are quickly failing. As bad as the pandemic has been, it has allowed us to save money and do this.
- Mike – On charger health check, will you take the suggestion of placing a box if you have taken the vaccine?
- Provost – That is coming. I am not sure exactly what it will say. If it ask if you were vaccinated that could be hard if you are between shots.
- Mike – Do we have any plans to require students to vaccinate?
- Provost – I asked about a month ago. The answer is no. We cannot require a vaccine if it isn't totally completed approved by the FDA. These were approved on an experimental basis. We don't require flu shots.
- Mike – Do you have any explanation on the canvas situation yesterday? It locked down yesterday during the 3 o'clock classes. It was overwhelmed.
- Provost – I haven't heard about it until now. How long did it last?
- Mike – I am not sure but I think everyone just left class.
- Kader – My chair reported in our meeting that the graduated classes will be taught mainly online in our college. Are you aware of this? They need to be QEPO certified. These are the easiest to teach on campus because they are the smallest. I objected to that but I wanted to ask.

- Provost – I heard some will be going online, not the majority. One thing we noticed that we didn't project is our graduate enrollment went up this spring. Our international students went down. We had a greater increase than last spring. We think it was because our graduate students could get classes online.
- Kader – I think the GRE waiver is one part of it.
- Provost - Alabama as a university is proposing going GRE free. I put that before the graduate council to consider. They will allow individual units to allow it.
- Kader – My main objection to this is the challenge that is given in class.
- Provost – I am not taking away. You need to get with your Chair and Dean. I don't determine what is online that is decided at the department and college level.
- Jeff – One thing that has concerned me in the discussion with online is the distinction of offering remote. Remote is they go at their own pace. Online still means that the instructor sets the pace and requirements of the course. The students must make the accommodation with the faculty member. The professor shouldn't give over to the student's request. Please make the absolute statement that we aren't setting remote classes anymore. The student shouldn't set the pace and that is my real concern.
- Provost – We have had a number of online sections for three or four years now due to student request. Also to increase our schedule flexibility to keep students. They have left because they can't get courses as they need them. We have made an effort to increase the flexibility by creating these online courses. We will continue those classes. In our multi-section classes, it will be remote not online. For the upper division and lower division smaller courses that we have been teaching hybrid and remote, we won't have remote sections. We have one college that is teaching everything this spring, they have a few students that really need an accommodation. They have been able to accommodate these students. Talking with the Deans, they don't want to have remote sections. I understand, but we will have to accommodate these students. It will be up to the student to ask for the accommodation.

➤ **Officer/Committee Reports**

- Tim Newman, President
 - I did find out the BOT meeting will not be in Huntsville in April but Tuscaloosa.
 - I heard some discomfort with our certification from our part timers.
 - Many have mentioned they are missing spring break. I am as well. It is going to be tough to the end of the semester. Encourage everyone to hang in there.
 - We had a late bill come in, bill 459. The copies are on the table not in the emailed packet.
 - A&M were able to get some vaccines. I am hopeful since they have, we will.
 - I was contacted this morning that we need to send a name forward for the NFR. We need a reviewer for that. I can't wait until the senate meeting.
 - Paul – Does the name have to be a senator?

- Tim – No. We need to send someone forward that has street cred for research. We don't want a junior faculty. It isn't restricted to academic research.
- Paul – I was going to put my name forward but since you want senior faculty, I do not qualify.
- Carmen – I am not interested but will do it again.
- Tim – I have done it and it is fun. It is a great opportunity to get a heads up on campus. Send me an email if you think of someone. I will hold until noon to hear.
- Carolyn – What is the number proposals roughly you review?
- Tim – There are only eight. Some years we have had up to 40.
- Lastly I would like to task you to do is prepare a small summary of what your committee has done this year. I know that you have worked. Let's get an executive summary to be put in the minutes. It will leave a legacy and good thing to stand on for future years. Some of you have done a whole lot of work this year. Let's get this documented and lets people know the work involved.
- Carmen Scholz, President Elect
 - The ad hoc committee on the ombudsperson section to be added has met several times. We are finally ready to present this bill.
- Laird Burns, Past President
 - No report.
- Carolyn Sanders, Ombudsperson
 - No report. I am working on three cases.
- Kader Frendi, Governance and Operations Committee Chair
 - We are working on elections. We have a special meeting called for tomorrow on Zoom to discuss Bill 458.
- Paul Whitehead, Undergraduate Curriculum Committee Chair
 - We are cleaning up the forms for catalog changes.
- Jeff Weimer, Finance and Resources Committee Chair
 - We are reviewing RCEU proposals and hope to have final report within the next week.
- Emil Jovanov, Undergraduate Scholastic Affairs Committee Chair
 - No report.
- Kwaku Gyasi, Faculty and Student Development Committee Chair
 - No report. We have been tasked to come up with suggestions on how the faculty can be more productive. The committee members want to know what came from the documented submitted.
 - Tim – I think we should discuss that here in FSEC. Please help me remember to get that on the agenda for next meeting. I dropped the ball on that and my apologies.
 - Mike – Do you have that electronically? Can you send that to us by Sunday night? Can Kwaku send that?
 - Tim – That would be fine, I can't do it by Sunday.
- Mike Banish, Parliamentarian
 - No report.
- Mike Banish, Personnel Committee Chair

- I was hoping that we would have Chapter 7 to you but you will have it next time as well as a response to Chapter 9.

➤ **University Committee Reports**

- Kader – The Benefit Committee met yesterday. There are no major changes to the benefits. There was discussion on COVID benefits. In addition for the need of training for employee and tuition assistance policy. It was a wide discussion away from the agenda.
- Mike – Financial Aid met as well. We approved income levels for the second CARES Act. New data came in and we discussed that. The checks should be going out soon to the students.

➤ **Agenda for Faculty Senate Meeting**

- Tim – We need to get the agenda set. I have the list of bills and policies that we have. We have three policies that are time sensitive to us. Academic Misconduct just came back recently. It is in the archive. The redline version of the policy that came was almost be entirely redlines. I am sure you want to see that. Brett Wren said he would look for it or produce one to see with redlines. You may want to wait on that or not. We have BETA. I am waiting for the redline version of BETA. On pending bills, we have several in committees. Some have been with committee for a while. I think we need to discuss what to do with them.
 - Mike – I would like to say that you would push on getting the BETA Policy redlines back. That is an important policy on campus. There is no excuse for us not having redlines on that one. Considering the efforts we have to go through to provide redlines, I feel there is a double standard. I make a motion on 459, 454, and 455.
 - Tim – I heard motion to approve on first reading Bill 459. Is there a second? Kader seconds.
 - Carolyn – As Tim pointed out, there already was an ombudsperson description of Chapter 4. We pulled that out and reworked it to make it more specific. The faculty member should be a rank of associate professor or higher. We thought the faculty senate would decide based on applications two nominees. We explain in the bill how they will be selected. The two highest nominees will be presented to the Provost. We specified the time of the position. We included a course release and a stipend of \$10K. We felt a two year term was important. Some cases can last longer than one academic year. We did allow the person to reapply. This person would be required to undergo training through the International Ombudsperson Association. I hope that we make this a priority for our next academic year.
 - Tim – All in favor of placing on faculty senate agenda. Ayes carry. Passes first reading.
 - Mike – I would like to add Bill 454 and 455.
 - Tim – I will only recognize for one, Bill 454.
 - Mike – There are a few clean up changes.
 - Tim – Is there a second to the motion? Carmen seconds. Were there any other committees to look at this? Any other discussion. All in favor of Bill 454. Ayes carry. Passes first reading.
 - Mike – I make a motion for Bill 455.
 - Tim – There is a motion to approve Bill 455. Jeff seconds the motion.

- Kader – The ombudsperson position is in Chapter 4. There is a bill on that and a bill here. We will vote on this and Chapter 4.
- Tim – This is a member submission. This was submitted well before we passed the recent change to Chapter 4. We need to make sure that these are still the sections.
- Kader – Isn't the ordering passing the bill on ombudsperson then Chapter 4?
- Mike – We took ombudsperson out of Chapter 4.
- Tim – There are two versions of four right now. We have to make certain everything is in sync.
- Carmen – This passed first reading in November.
- Tim – No, we sent to committee.
- Mike – Let's pass it and integrate it.
- Tim – All in favor of passing on first reading and adding to agenda. Ayes carry.
- Mike – I would like to make a motion for 03.01.06 on the agenda. Kader seconds.
- Tim – All in favor of placing 03.01.06 on agenda. Ayes carry.
- Mike – I motion to place 03.01.07 to agenda. Kader seconds.
- Tim – I know we have work to do on this one.
- Provost – I talked with Mike Huff about open flames. I felt our interpretation was not correct. Since he wrote the policy, he said that the open flames is supposed to be directed to the outside groups that use the facilities for free speech. It doesn't have anything to do with the current functions of the use of facilities. If a group from the community come in to use the Chan Auditorium, they can't have open flame. If Carmen wants to do a demonstration with open flame, she can because it is part of her work.
- Tim – The way it is worded doesn't carry that.
- Mike – The problem is the opening statement. This policy does not apply to normal academic and research activities of the University.
- Tim – Motion to send this forward with sentence added. Kwaku seconds. All in favor. Ayes carry. You will be voting to send it to senate to approve with this sentence.
- Mike – The open flames amendment will not be included?
- Tim – Right.
- Mike – I make a motion to remove amendment to line 14. Kwaku seconds. Ayes carry.
- Tim – All in favor of placing on agenda with amendment. Ayes carry.
- Emil – I can prepare a report from Research Council for next week.

➤ Motion to adjourn 2:23 PM.

FACULTY SENATE MEETING

February 25, 2021

12:50 P.M.

Chan Auditorium

- ***Present: Tobias Mendelson, Sophia Marinova, Dilcu Barnes, Joey Taylor, Kwaku Gyasi, Andrei Gandila, Kristin Weger, Christina Steidl, Mike Banish, Abdul Salman, Emil Jovanov, George Nelson, Kader Frendi, Susan Alexander, Elizabeth Barnby, Azita Amiri, Donna Guerra, Amy Hunter, Darlene Showalter, Leiqui Hu, Jerome Baudry, Jeff Weimer, Huaming Zhang, Seyed Sadeghi, Sarah Roller, Ron Schwertfeger, Carmen Scholz, Carolyn Sanders, Laird Burns***
- ***Absent: Paul Whitehead, Gang Li, Sivaguru Ravindran, John Mecikalski, Bryan Messmer, Fat Ho, Seong-Moo Yoo, Jeremy Fischer, Jose Betancourt, David Allen***
- ***Absent with Proxy: Kevin Bao, Candice Lanius, Christina Carmen, Andrea Word, Mark Reynolds, Melissa Foster, Jerome Baudry, Harry Delugach,***
- ***Guest: President Darren Dawson***
- **Faculty Senate President Tim Newman called the meeting to order at 12:54 pm.**
- **Meeting Review:**
- **Approve FS Minutes 612. Tobias Mendelson moves. Kader Frendi seconds. All in favor. Ayes carry.**
- **Approve FS Minutes 613. Tobias Mendelson moves. Carmen Scholz seconds. All in favor. Ayes carry.**
- **Accept FSEC Report February 11. Kwaku Gyasi moves. Member seconds. All in favor. Ayes carry.**
- **Meeting Review:**
 - **Vehicle Safety Management Policy passed to send forward with comments.**
 - **Security Camera and Video Surveillance Policy passed to send forward with comments.**
 - **Policy for Naming Opportunities Policy passed to send forward with four comments.**
 - **Guidelines for Fundraising and Gift Solicitation Policy passed to send forward with comments.**
 - **Employee Occupational Injury Policy was rejected.**
- **Administrative Reports**
 - **President Dawson**
 - **Shelby Center renovation is scheduled to start next week. We are going back out for bids for the Greenway and take that to the board in April. We did get approval from the board to do interior renovations in Spragins Hall.**
 - **We have some updates on the vaccine plan. We sent out a survey to see who would be interested. We think we can get some vaccines transferred to us from the UA System.**
 - **Provost Curtis**

- On February 16th, I sent out a tenure letter out to all faculty for the sabbatical leaves. That information is out there. If you need a copy please contact Michele Kennedy. We sent out letters to all faculty that would have had their sabbatical in 2021 so they can take that this coming year. Most of the colleges will be able to start accommodating some faculty this year. College of Engineering is postponing to 2022-2023.
- There are changes to the Health and Safety Plan. There are changes to the quarantine protocol for vaccinated persons. The information will be going into our website. We have new visitor protocols. The dining protocols have changed. The recommendation from the Health and Safety Sub-Committee is campuses may plan to return to full schedule on campuses this fall. We have delayed registration but with this indication we will start our full scheduling.
 - Jeff – There were some indications through email chains that faculty would be required to hold remote sessions in addition to teaching traditionally in the fall is that true?
 - Provost – We are still working on that. I am working with the Deans. Some students will have financial difficulties. We want them to be able to finish their course of studies.
 - Carmen – Our faculty ran into issues when they took out all the audio equipment. The students online could hear but not in class. This was done in the large auditoriums in Shelby Center.
 - President – I don't have any information on that.
 - Provost – Do you know who did this?
 - Carmen - I would have to ask the help desk. They were aware of it but it sounds like it was from an outside source. Some faculty have heard that some faculty were provided tablets to do online teaching. The question is will there be tablets for everyone? It is understood that engineering was able to do this.
 - Provost – Let me check the status on some tablets that we ordered using the CARES Act money. I believe the plan was to be put in the library for faculty and students to check out. Last I heard, we were transferring them from the receiving department to the library. Some cases, every college, have had faculty that needed certain pieces of computer or tablet to conduct their class. My understanding is where there was a need the colleges stepped up to provide that.

➤ **Officer/Committee Reports**

- Tim Newman, President
 - Hopefully you are watching COVID numbers, they are way down. Alabama is below the national average. Some comments that follow ere have also been made in the FSEC. Carmen, Mike, and I met with the Provost in January. The Legal Counsel opinion is the FS is not a self-regulating body. Thus, the position appears to be that approval is needed for bylaw changes. There is a handout here showing that. Also, there is a handout here showing the handbook states that Faculty Senate is self-regulating. So there is some disagreement there. Our by-laws changes have an uncertainty now. Instead of following them, we need to follow the bylaws as they were at the beginning of the academic year. I strongly encourage each of you to get the two handouts on this issue. This speaks to the issue of the FS to regulate

itself. Carmen and I met with the President. QEPO was one point discussed. I know there are concerns with it about the time to complete it, academic freedom issues it may interfere with, and its efficacy - those are ones I have heard from many of you. I brought up the issues of the sabbatical being delayed and seems we have made progress there now. We also brought up challenges with instructional deliveries.

- I went to a budget committee meeting this week. I want to share the highlights with the senate. One thing that was shared by the VP for Finance. Todd has made every attempt to be transparent and straight forward with us. He showed a chart of our scholarship expenditures and actual spent. In FY 18-19, we had a \$7M shortfall. In FY 19-20, we spent \$40M and only budgeted \$28M. I have made the point numerous times. I am of the view that the administrators have written checks the faculty need to cash. I think we need more sharing. I do salute President Dawson in more sharing and academic governance. When discussions are being made on spending, there are impacts. If the two years are taken together, equal to about 20% of a single year's budget for us. As faculty members we have to keep our fingers on the pulse of the spending here at UAH. We have got to hold officials to account on these points. Todd put up a chart on unit reserves. If you notice the university as a whole has \$14M ahead of what they have had. Our reserve situation is better.
- There was a BOT virtual meeting earlier this month.
- I want to update you on the bill status. We have several bills and policies. The five policies you see today were put intentionally because they are approaching the 90 day limit.
 - Joey – Andrea Word and I sent a bill forward, 458. This bill was tabled according to the FSEC notes until Chapter 7 is finished. The senate passed Bill 447 complaining about Chapter 7. I am worried about our bill relating to the finishing of Chapter 7.
- Carmen Scholz, President-Elect
 - No report.
- Laird Burns, Past President
 - No report.
 - Mike Banish, Parliamentarian
 - No report.
- Carolyn Sander, Ombudsperson
 - No report.
- Kader Frendi, Governance and Operations Committee Chair
 - No report.
- Azita Amiri, Undergraduate Curriculum Committee Chair
 - No report.
 - Tim – I know you have tackled a lot of items. Do you have an account since January 1?
 - Azita – Around 50.
- Jeff Weimer, Finance and Resource Committee Chair
 - We had 39 initial proposals for the RCEU. We have 30 final proposals. We are in the process of completing the reviews.
- Emil Jovanov, Undergraduate Scholastic Affairs Committee Chair
 - No report.

- Tim – Has there been a meeting to reconsider bankruptcy?
 - Emil – No.
- Kwaku Gyasi, Faculty and Student Development Committee Chair
 - No report.
- Mike Banish, Personnel Committee Chair
 - Since Joey asked, I have sent out what I hope is a final version. We have been looking at Chapter 7. Hopefully this version will pass through our committee and passed onto administration. It does include your thoughts and desires. You can contact your Personnel Committee Representative to get a copy. You can contact Jose. The Provost sent us back a response to Chapter 9. We will look at it and respond back.
- Mike Banish – Financial Aid Committee met a week ago to discuss the distribution of the CARES Act money. This pot of money for the second round doesn't require receipts. The requirement was not a one/one match. We received more money in CARES II.
 - Joey Taylor – I appreciate your words, Mike. The point of the issue is for the bill to be discussed in the full senate. I can't seem to get that past the FSEC. I motion that we vote to move this item to the FS agenda for March.
 - Tim – Would the member consider an adjustment? Roberts Rule states that this should be advertised for in 30 days. This motion is to do first reading of Bill 458 today. Beth seconds.
 - Andrei – Is there possibility to send to committee?
 - Tim – The motion is subject to amendment. Is there a motion to commit?
 - Andrei – Governance and Operation.
 - Tim – Second? Sophia seconds.
 - Christina – I think this is something that the FS needs to be able to discuss. I argue that we do not send it to committee and full senate discuss.
 - Andrei – I may be wrong but the full senate will still be able to discuss.
 - Jeff – I appreciate this interested to include the chairs here. I feel it is a worthwhile venture to put that forward. I understand the fine line that we cross is now we cannot have zoom meetings. This is an important decision. I would state that the committee take it and bring back a synopsis.
 - Laird – What is the number of instructors we have? I don't have a clue. I am asking the President if we could ask the administration to list those out. If we can at least get a list of those numbers.
 - Carmen – This bill is off a large interest to all of us. It proposes to make significant changes to how we operate. It also includes that there would be changes to the bylaws. We have a compounded problem with 458 because of the bylaws. We have two different things going on that converge on this bill. I support Andrei's opinion of taking to committee.
 - Kwaku – I think I support to Joey's motion to bring before full senate. If it goes to committee it could stay there and not brought back in a timely manner. I don't think the issue with bylaws and this bill are mutual.
 - Sarah – Andrea has stated in Zoom chat that she can provide a breakdown of faculty by rank and role.
 - Joey – To speak to the issue of committee, I have been proposing this since 2015. Even in committee, we are dealing with a small number of people filtering it. This is an issue of shared governance going the other way. My desire is that the full senate will have two months to look at this bill before coming at the April meeting.

- George – Is it feasible if it goes to committee that it come back before April meeting? If we do have that time, it gives us time to go back to our department and elicit opinions from people we represent.
- Tim – Shall 458 be committee to G&O?
- Kader – I think the bigger problem is the fact that our bylaws have been sent back to us with legal opinion that we can't change bylaws. This bill will have to change the bylaws. We have a bigger problem. Will we be able to change our bylaws?
- George – I am going to say I wouldn't let the legal opinion tie our hands on discussing this. We should still make a stand for what we want to do as a body.
- Tim – Called for a vote on committing 458 to G&O. Ayes carry.
- Vehicle Safety Management
 - Tim – I believe some committees have looked at this and made comment. You can motion to approve or other. Is there a motion to approve? Mike moves. Carolyn seconds. I noticed a number of points that need to be cleared up. On driver requirements, it sounds like it applies to all of us but I thought it would be only to university owned bills. I would like to propose that we include that clarification. Driving Privileges, this states that our students can't drive their cars off of university campus.
 - Carmen – Under Definition A, Authorized Driver should state UAH vehicle.
 - Tim – Called for a vote on sending forward with the comments just discussed. Ayes carry.
- Security Camera and Video Surveillance
 - Tim – I believe this a replace of a prior policy. Motion to approve. Kader moves. Sophia seconds.
 - Jeff – If you would scroll to monitoring educational research cameras. This states that they would be subject to monitoring. It sounds like someone could come knock on the doors and take the camera away. We proposed new wording of that sentence. Educational/Research Camera Systems are subject to periodic audit by the Security Camera Administration to ensure compliance with this policy as it relates to security use and NDAA compliance. We are asking that we are auditing to ensure we are following policy not being monitored.
 - Tim – In my department, we teach a class in image processing. Image collected on student's phone may be included in that. Should we change the clause?
 - Jeff – I am not sure we step into the hardware of the student's device. I think it would be the image into the public domain and checked against this.
 - Laird – Would you consider a friendly amendment?
 - Jeff – University owned.
 - Tim – Any objection to adding this statement?
 - Emil – This is real professor issue I have on page 1. We didn't introduce Security Camera Administrator. We don't define that person. We need to introduce security camera administrator. We also need to state what is research and educational camera.
 - Tim – Any objection? See none.
 - George – There is a definition page on page eight.
 - Tim – On page eight it states that the VPFA will appoint someone.
 - Mike – We should be able to define where the common areas are for camera use. Areas must be defined, not state "not limited to". I have heartburn with not limited to.

- Tim – Called for a vote on sending forward with the comments just discussed. Ayes carry.
- Policy for Naming Opportunities
 - Tim – Motion for senate to approve. Mike moves. Kwaku seconds.
 - Mike – This bill only designates monetary donations that lead to naming facilities for building. Chan Auditorium would fall into that I am assuming. I don't know that anyone put up any money to rename Wilson Hall. We have had several faculty members pass on while being active faculty members. It was votes from faculty members that names be made for those faculty members. There is nothing in this bill to recognize faculty or staff for rooms, hallways, buildings after esteemed faculty members or deceased members. I find that very discerning about the administration.
 - Tim – Any objection to this? None.
 - Jeff – I support the comments from Dr. Banish. Our committee raised a comparable concern. In that respect it seemed we were formally charged with thinking about wording for naming. In order for us to be consistent, how is this done at UA and UAB? Will we be breaking new ground with such statements? We have had recently a number of names that have been removed from buildings. We would like to appreciate if this policy should make reference or review if the name meets the mission of the UA System.
 - Susan – I would like to say that I read the bill and can't find where the FS has any say in these decisions.
 - Tim – Any objection? None. Called for a vote on sending forward with four comments. Ayes carry.
- Guidelines for Fundraising and Gift Solicitation
 - Tim – Motion to send forward with senate approval. Mike moves. Kader seconds.
 - Emil – This is just my concern. The purpose is clear for soliciting. This is not related to research gift for lab, research, or work. The purpose of this bill is solicitation. Unsolicited gifts should not be applied. Is there something in the bill that would restrict unsolicited gifts to labs or persons?
 - Carmen – It says that all gifts made are subject to UAH giving policy. We need to recognize that unsolicited gifts to a lab, this does not apply.
 - Tim – Any objection? None.
 - George- I have a question about procedure and guidelines on page two. Potential funding resources is broad.
 - Tim – The paragraph should include exceptions to PI's.
 - Carmen – The entire first sentence of the procedure and guideline steps on the toes of PI, OSP, and VPRD efforts.
 - Tim – Called for a vote on sending forward with the comments just discussed. Ayes carry.
- Employee Occupational Injury
 - Mike – Can I put forth a motion to reject?
 - Tim – You can respond that it isn't an appropriate policy. Is there a second? Kader moves.
 - Mike – Page 9, Paragraph 1 – I find it ridiculous that the university would give 2/3 pay when they were injured on the job.
 - Jeff – Yes and I would ask for clarification. Would it not suffice to state that it says 100% not 2/3?

- Tim – Called for a vote on of returning it back rejecting it due to the paragraph.
Ayes carry.
- Meeting adjourned 2:20 PM.