

FACULTY SENATE

MEETING #586 AGENDA

SST 050

THURSDAY, February 15, 2018

12:50 PM to 2:20 PM

Call to Order

- 1. Approve Faculty Senate Meeting #585 Minutes from January 18, 2018**
- 2. Accept FSEC Report from February 8, 2018**
- 3. Guest Speaker**
 - Chancellor Ray Hayes, Chancellor of the UA System**
- 4. Administrative Reports**
- 5. Officer and Committee Reports**
 - Child Protection Policy – To be discussed, not voted on**
 - Bill 417 – Third Reading**
 - Bill 419 – Second Reading**
 - Bill 420 – Second Reading**
 - Bill 422 – Second Reading, came from Staff Senate**
 - Bill 423 – Second Reading**
- 6. For your information and discussion with Chancellor Hayes:**
 - Board Rule 108**
 - Sexual Misconduct Policy (note 33 pages)**
- 7. Miscellaneous/Additional business**

Adjourn

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

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

Senate Bill #417: Modification of Indirect Cost Recovery

**THE UNIVERSITY OF ALABAMA IN HUNTSVILLE
FACULTY SENATE**

Senate Bill #417: Modification of Indirect Cost Recovery

History: Bill 417 was submitted to FSEC for first reading on 11/09/2017
Bill 417 passed first reading on FSEC on 11/09/2017
Bill 417 passed second reading in Faculty Senate on 1/18/2018
Bill 417 passed third reading in Faculty Senate on XXXXXXXX

WHEREAS, Indirect Cost Recovery (ICR) is one of the primary mechanisms for support and reinvestment in university research and scholarly activities; and

WHEREAS, ICR can, and should, provide an important incentive to researchers and their academic and/or research units to explore, enhance, and expand university research and scholarly activities; and

WHEREAS, the existing ICR distribution scheme differs from that employed at other institutions within the University of Alabama System and other peer institutions; and

WHEREAS, the existing ICR distribution scheme is 47% to General Fund, 23% to Office of the Vice President for Research and Economic Development (OVPRED), 11% to Office of Academic Affairs (AA), 15% to a researcher's College or Research Center, 0% to a researcher's department, and 4% to the researcher's "PI account"; and

WHEREAS, the existing ICR distribution scheme may not represent the most effective or productive use of funds supporting or stimulating university research and scholarly activities, including the education and training of students, investments facilitating the development of expertise, timely investments that facilitate flexibility and creativity, or costs associated with research competitiveness and productivity; and

WHEREAS, the existing ICR distribution scheme may not balance, and in fact may increase the disparity between, the academic and research goals of the University as represented by the AA and the OVPRED, respectively; and

WHEREAS, a reevaluation of the ICR distribution scheme and its effectiveness in facilitating research and scholarly activities has not been performed for at least 20 years; and

WHEREAS, a modified ICR distribution scheme may empower academic units to serve their faculty, students, and staff more effectively, while simultaneously enhancing the success and productivity of researchers/scholars and their associated activities; and

NOW THEREFORE BE IT RESOLVED:

That the Faculty Senate, on behalf of the faculty of the University of Alabama in Huntsville, request a review of the existing ICR distribution scheme by the relevant officer(s) of the University of Alabama in Huntsville including, but not limited to, the Office of the President, Office of Academic Affairs, Office of the Vice President for Research and Economic Development, and the Office of Finance and Administration ("Administration"),

AND BE IT FURTHER RESOLVED:

That as part of this review, the Administration work directly with the Finance Committee of the Faculty Senate to evaluate the current ICR distribution scheme with the goals being to define any real or perceived imbalances of cost share distributions as viewed across academic and center-directed research units and to propose effective and realizable modifications as needed to address such imbalances in positive ways for both units.

AND BE IT FURTHER RESOLVED:

That a report summarizing the findings of this review be submitted to the Faculty Senate no later than 3 months following passage of this bill, to include one or more of the following: a) a plan, including schedule, to implement the Proposed Distribution; b) a proposal for another ICR distribution scheme consistent with the approach employed at UA (Tuscaloosa) and its corresponding percentage distributions to college/center, department, and PI; or c) an explanation as to why a change should not be implemented, including an analysis of the effectiveness of the existing ICR distribution.

Senate Bill 419

Compensation of faculty with increased teaching levels

WHEREAS past UAH policies included increased compensation and acknowledgement of faculty with either teaching loads above their College normal levels and/or class sizes above 35 students, more specifically at levels of 35, 45, and 55 students,

WHEREAS these incentives were set to encourage and reward faculty who responded to the needs of the University,

WHEREAS these incentives have been removed with no explanation,

BE IT THEREFORE RESOLVED, that the University of Alabama in Huntsville re-establish both class teaching overloads and compensation for teaching classes above 35, 45, and 55 students,

BE IT FURTHER RESOLVED, that for courses where class size is limited by Federal, State, or Accrediting Bodies that instructors of such courses be compensated at the extra compensation level for a 35 student course, if the said course enrollment is at 90% of the starting class takes the final examination for that course.

BE IT FURTHER RESOLVED, that these teaching overload and class size incentives be applied retroactively back to, and from, the 2015-2017 academic year.

**Importance of Vacant and Vacated Faculty Positions to Sustain
the Educational Mission of the University of Alabama in Huntsville**

WHEREAS a core mission of UAH is to educate individuals in leadership, innovation, critical thinking, and civic responsibility; and

WHEREAS this educational mission is provided primarily if not exclusively by faculty and staff in academic departments; and

WHEREAS the ability of an academic department to fulfill its role in the educational mission of UAH depends directly on its ability to assign teaching duties to qualified individuals; and

WHEREAS academic departments as a whole are the best judges of the qualifications that individuals must have to teach to the needs of the respective department; and

WHEREAS the process that an academic department must undergo to fill vacated or vacant faculty lines with qualified personnel often if not always takes at least a year to complete; and

WHEREAS when a faculty position is vacated, the absence of immediate, reliable, coherent, and consistent statements to assure the position will be filled undercuts the ability of the affected department to plan how to meet its educational requirements in the short term; and

WHEREAS as long as a faculty position remains vacant, the sustained absence of reliable, coherent, and consistent statements to assure the position is to be filled undermines the ability of the affected department to maintain its educational mission and negatively impacts the morale of the affected department over the long term; and

WHEREAS academic departments at UAH have had positions vacated and have positions remain vacant even as the duties and responsibilities required of the affected department to meet their educational missions have remained constant if not increased over that period; and

WHEREAS the administration has taken upon themselves to capture vacated and vacant faculty lines from academic departments to a central pool of positions; and

WHEREAS the administration has also indicated that it plans to disburse vacant and vacated positions later according schedules that they set; and

WHEREAS the administration has given reasons for taking this approach that appear non-committal toward or ignorant of the needs of the affected departments to meet and sustain their own constant or growing educational needs;

BE IT RESOLVED THEREFORE that actions taken wherein vacated or vacant faculty positions are captured back to and held within a central pool of positions above department level, especially without giving due diligence to provide immediate, reliable, coherent, and consistent

information back to the departments to plan to fill the positions, are deemed to be counter to sustaining the educational mission of UAH. In the short term, such actions immediately undercut the ability of the affected department to plan, assign, and implement its teaching responsibilities with an account to meet its educational standards. In the long term, such actions undermine the ability of the affected department to maintain its educational standards and also damage the morale within the affected department.

Faculty Senate Bill No. 422

Whereas;

One of the most important assets of The University of Alabama in Huntsville is the health of the institution's faculty and staff; and

Whereas;

The UAH Faculty and Staff Clinic was established in June 2007 to serve the health needs of the faculty and staff; and

Whereas;

The Faculty and Staff Clinic has seen thousands of faculty and staff with 10,476 clinic visits and saved the University an estimated \$1,560,924 in insurance co-pays and other expenses and 31,428 hours of lost productivity; and

Whereas;

UAH may save more money by allowing spouses of staff to be treated at the Clinic; and

Whereas;

The success of the Clinic in terms of serving as a valuable source of health care for faculty and staff and a financial savings for the institution; therefore

Be it resolved by the UAH Staff Senate that;

The University administration increase funding to the Faculty and Staff Clinic to provide a registered nurse (1.0 FTE) to expand availability and services for University employees and their spouses beginning as soon as possible, but not later than the beginning of the 2018-2019 academic year.

1 SENATE BILL 423: Updating IT Policies

2 **WHEREAS** A collection of policies governing information technology were brought
3 forward from UAH's Academic Affairs organization in recent years; and

4 **WHEREAS** The policies have identifiers of interim policies 02.01.36 through 02.01.49; and

5 **WHEREAS** The collection of policies faced objections from Senators; and

6 **WHEREAS** The objections included, among other items, the unworkable restrictions
7 applied overly broadly to (1) research data, (2) computers hosting legacy
8 software and devices, and (3) privately owned devices utilizing UAH wifi; and

9 **WHEREAS** There have been multiple communications to Academic Affairs administrators
10 of the objections, including in written forms (including a Senate ad hoc
11 subcommittee report of 3 October 2017) and in the form of verbal points raised
12 and documented in open Faculty Senate and in group meetings between Senate
13 delegations and administrative staffers (dating as far back at 2015), yet the
14 objections have not yet been addressed; and

15 **WHEREAS** Said policies were also initially brought forward from administrators without
16 involvement of affected students and faculty

17 **THEREFORE BE IT RESOLVED**

18 That UAH Academic Affairs prioritize the revision of the policies to address the objections
19 raised by Senators and the Senate ad hoc subcommittee,

20 **AND BE IT FURTHER RESOLVED**

21 That a schedule (satisfactory to the Senate's Executive Committee) for carrying out said
22 revision be produced by Academic Affairs and reported to the Senate through the Senate
23 President within 30 days of Senate passage of this bill,

24 **AND BE IT FURTHER RESOLVED**

25 That the interim policies named above (i.e., those policies numbered 02.01.36 through
26 02.01.49) be suspended 60 days following the passage of this bill,

27 **AND BE IT FURTHER RESOLVED**

28 That the Senate President shall discuss regularly with Academic Affairs (1) the progress
29 toward production of a schedule and (2) the progress on carrying out that schedule, with these
30 discussions occurring regularly until satisfactory revisions have been accomplished,

31 **AND BE IT FURTHER RESOLVED**

32 That the Senate President shall update the Senate on said discussions' contents at each Senate
33 meeting until satisfactory policy revisions have been produced.

FACULTY SENATE MEETING

January 18, 2018

12:50 P.M. in SST 050

Present: Milton Shen, Laird Burns, Katie Baldwin, David Harwell, Joey Taylor, Joe Conway, David Johnson, Andrei Gandila, Anne Marie Choup, Dianhan Zheng, Kyle Knight, Mike Banish, Yu Lei, Tingting Wu, Yuri Shtessel, Fat Ho, Earl Wells, James Swain, Kader Frendi, Gang Wang, Christina Carmen, Angela Hollingsworth, Ann Bianchi, Sharon Spencer, Monica Beck, Amy Hunter, Shanhu Lee, Roy Magnuson, Carmen Scholz, Jeff Weimer, Harry Delugach, Tim Newman, Shangbing Ai, Lingze Duan, Vladimir Florinski, Monica Dillihunt, Shannon Mathis, Ron Schwertfeger, Deborah Heikes, Fran Wessling

Absent: Chris Allport

Absent with Proxy: Sophia Marinova, Kevin Bao, Carolyn Sanders, Lori Lioce, Qingyuan Han

Ex-Officio: Provost Christine Curtis

Guest: Dr. Clay Ryan

- Faculty Senate President Carmen Scholz called the meeting to order at 12:49 pm.
- **Meeting Review:**
 - **Chapter 5 of the Faculty Handbook was passed.**
 - **Bill 417 passed second reading.**
- **Guest Speaker Dr. Clay Ryan**
 - I want to spend time talking about where things are in Washington. I want to hear the questions you have in regards to funding. Collaboration is the Chancellor's number one priority. We are looking for ways among the other campuses. We look to be headed towards a government shutdown. We haven't been able to achieve a budget deal. Rather than negotiate, they have entered into continuing resolutions. That allows us to continue to operate. We have been working hard with Senator Shelby and Congressman Aderholt. A prelude to the elections in 2018 was DACA and the Children's Healthcare has become election issues. They don't want to continue the healthcare without DACA. They are using this as a wedge. We may not see a budget deal anytime soon. Congress will probably remain in session through the weekend. The tax reform package was an issue at the end of last year. We didn't end up with as much bad as we started with. We did end up saving the graduate student tuition waiver. The student debt issue remains. The higher education is up. There are some things in there that is problematic. On the state side, it's mainly only bad news. Alabama has endured the hardest cuts on education besides LSU. This year is the first year we have seen an incline. Early projections are that we will be even better next

year. We do nothing to fund at the state level. Most funding we receive is O&M. I would say that the biggest challenge will be pension reform. We have to fight to save money within the RSA and the trust fund. We have a challenge in Montgomery. They believe we have enough money but we don't know how to budget it. In 2018, we hope that we will have the opportunity to address issues. There are talks about a gas tax. If legislator and state leadership are willing to pass this tax, that may allow other areas to open up.

- Christina – Why is Alabama the last to research funding?
- Dr. Ryan – We have some fundamental issues with funding in Alabama. Property tax is the primary funder of the general fund. In education, we have a robust revenue stream. We starve the general fund and that pressures the education fund. Our focus has been to get people in government that recognizes our issue. I don't see research funding at the state level improving. I think at the federal level, we may see some improvement. It will happen on the federal before we see anything on the state.
- Carmen – Where does this mentality within the state that we have enough money? Why isn't there a more progressive thinking?
- Dr. Ryan – We have always been a low tax state. We have been a populous state. A divide is almost rural versus urban rather than by party. The other challenge at the state level is at the system level. We haven't explained that well enough. We are going to do a much better job at communicating. We are the best thing the state has going. We operate out of scarcity than abundance. These are not issues.
- Carmen – The same people get elected?
- Dr. Ryan – We are limited and can't endorse. We try to make sure we know their opinion.
- Harry – I have been hearing you and your predecessors say the same thing. Why do you think you will see change? The main point is the economic impact.
- Dr. Ryan – I don't think that we have failed. Do you think we have failed?
- Harry – The rank seems pretty low. If you ask about Alabama, you only hear about football. Not the university with students. What can we do as faculty to essentially become more active?
- Mike – I am going to tell you that you should join the higher education partnership.
- Harry – I think it would depend on our spare time and faith on change. There are people that would be interested.
- Dr. Ryan – This legislature that we have now is very different. They are largely data driven; they are not worried about robo calls. They care about people that have relationship with current issues. We are careful to not wear them out until it's necessary. We are retooling higher education partnership.
- Member – Talking about getting students on a bus. We are about to do that. We talk about professionalism. In regards to funding, we partnered with the Alzheimer's foundation. We created this experience for the students. We are going with the students to their lobbying.

- Dr. Ryan – I think that makes a lot sense to do especially on the nursing side. We want to help you in that effort.
- Member – It was almost a roadblock because of funding. The association is providing the bus.
- Dr. Ryan – If you will send me a note of when you come I will make sure hook up with our people.
- Christina – I am worried about the RSA. Do you know anything?
- Dr. Ryan – It is a big fight right now with the successor.

➤ **Administrative Reports**

○ Provost Christine Curtis

- Dr. Altenkirch is on his way to Atlanta. He asked me to talk to you about commencement. If you were at commencement in December, you realized that we had to open our bags to get in. In May, there will be metal detectors and badge checks. I think the VBC is a little late, but have been forced to adopt these. That gives them an opportunity to count us. There is a fire limit in the arena. They count the number of individuals in the arena. We can't have more than 6,200 people. We don't know if they counted us and the number. We weren't stopped. In May, they have told us once we get to 6,200 they will stop us. We don't want to turn away families. We have several options. We will talk to them and see if they will relax that standard until next December. If they don't, we will be forced to go to two ceremonies. The President has talked with the FSEC. We have checked the dates in May. We can only get Sunday, our normal day. If we have to split into two, we will separate the colleges. We will start at 1:00 with colleges that do not have PhD students. The second will start later in the afternoon. The time is unknown at this point. It is up in the air as to what we will do. Next year, we will be talking to the VBC to see if the ceremonies can moved to a weekday or on Saturday. We then do a morning and afternoon. We leave afterwards. The staff has to stay there and move everything out. That can get very late for those individuals. The idea of tickets has come forward and from my experience, those don't go over very well. This is a big even for the student and don't want to dampen their spirits.
 - Jeff – Do we have any other possible venues? So they can go parallel.
 - Provost – We only have one President. It's a problem if you want your President, speaker, and staff there.
 - Jeff – I am relating back to Penn State, we were not in one place. Each college did their own at the same time.
 - Provost – We don't have too many venues to host all this on campus either. There are different ways of splitting. We will always inconvenience someone at this point. They have warned us twice.
 - Roy – How much over were we?
 - Provost – I don't know. We don't have that number. When Senator Sessions was here, that was our biggest year and they warned us.
 - Provost – I think for the families it is very important. Many have sacrificed and they want to see their student graduate. Whether there is a monetary benefit or not, it's building relationships with the families.
 - Carmen – IF we split into two ceremonies in the VBC, will our cost go up?
 - Provost – It's one price. We have it for the day. If we split it to another venue at the VBC, the cost would go up. The cost on campus was asked by

the FSEC. All the things that are done at the VBC when we pay, we have to do ourselves here on campus. It basically balances out.

- Member – How would it be perceived if you split the ceremonies simultaneously and had a monitor in another place to broadcast the President and speaker?
 - Provost - I would think we would have to talk with A&M to see how they do it. In other situations that we have done that, it didn't go well.
 - Roy – In terms of number is there an obvious way to split?
 - Provost - To have a shorter first, have the three colleges without PhD's first. It isn't an even split on graduates. There will be more undergraduate graduating.
 - Carmen – This would allow the smallest number of guest to clear out first.
- I want to talk with you about collaboration with UAH and NCUT. NCUT came to UAH at the suggestion of the University of Mississippi. There have been conversations in China and with the BOT to see if they are willing to entertain collaboration. The board wanted us to continue to talk with NCUT and move forward. First, it has not been approved by the Chinese government. Until we get that approval, it is still a proposal. It can be changed dramatically. NCUT is on the fourth ring of Beijing. According to colleagues at NCUT, there is a lot of interest from them to have an education from here. Many students want this education but they can't go out of country. They don't have the fiscal resources. The two that they are interested in are Mechanical Engineering/Electrical Engineering. These are UAH programs that we would teach at the university in China. We would teach the entire curriculum. We are basically taking our program and teaching it in China. We would be teaching about 100 students per program per year. It would be teaching all the required courses. At this point, the thought is to ask faculty if any would be interested in teaching. A number of faculty came back and would be interested. There are two ways we can do this. One is that we would allow a faculty member to go over for a semester. The other option due to the semester setup is teach a shorter term before our semester starts or after ours has ended. It would be a volunteer basis solely. The NCUT will have international housing and eat on campus. We don't know if there will be a sufficient number of our faculty to go. We have other ideas. We could open the idea to our system faculty. The second is to hire non-tenure track faculty. The program will have both NCUT and UAH faculty. Everything will be in English. The student would have a UAH and NCUT degree. There will be a couple of courses that will be added on to our degree that NCUT would teach due to a requirement of NCUT. The governance would be a joint management committee. They would be in charge of the programs. We will have an administrator on campus. NCUT has to receive approval then we will go back to the BOT's. After seeking their approval, we will have to seek ABET accreditation and SACS approval. This would allow another tuition revenue stream. We see this as an excellent place for graduate student recruitment. The presence of UAH on that campus will establish us. We would hope that would recruit students to come to UAH. WE hope this would strengthen research collaborations.
- Tim – I have concerns about shared governance aspects of this. This should have been vetted by the senate long before today. I am concerned this is another top down. I am disappointed in that. I have concerns with

academic freedom. It seems like for the first time the faculty doesn't control the curriculum, but the government. Some courses I don't see there being freedom to teach. I think I could be a target since I teach one of those classes. I am concerned about the ACT scores. Our ACT scores have been high and they are staying high. We offer a quality education here. I am concerned about the students at this school. I am afraid it will drag down our scores.

- Provost – They are in the top tier. In terms of ACT, I don't believe they will be taking the ACT. They will follow the Chinese government rules on applying to their universities. NCUT will be doing the recruiting within China. I think academic freedom will be an issue in some classes. I think we have to decide individually if we can teach in that situation or not. There is no one forcing anyone to teach in China. We have to be careful of what we say. After saying this, we discussed in length the University of Arizona. They have several campuses nationwide. In China, they are teaching law. We asked them about the freedom issue. They say they haven't had any issues. I do imagine if we spoke against the government we would be asked to leave. That is the reality. When I talked with another professor at NCUT, he said we have a lot of freedom but we can't speak against the government.
- Sharon – This was brought to you by Mississippi, why didn't they jump on this?
- Provost – I think it was because of the programs that NCUT is interested in.
- Anne Marie – Obviously we can say anything against someone, are they going to vet textbook or syllabi?
- Provost – Not syllabi, because that is what they want us to bring. The people from Arizona said there were no issues as to what they said in classroom. There were some observers in the class.
- Anne Marie – We would have access to everything online?
- Provost – I don't know for sure but I would assume we would have access to everything we would have here.
- David J. – Could they take online classes here?
- Provost – That hasn't been part of the discussion. It is a good question. I have VPN on my phone and computer and could go directly to my email while I was there. We would be on NCUT campus. WE would have that support structure around us.
- David H. – How would the charger foundation courses be handled?
- Provost – Number of faculty said they would be interested in teaching in China.
- Harry – Would they be paying tuition comparable to our tuition?
- Provost – Our in state rate. The benefit to us is all the facilities, overhead, security, student affairs, counseling would be covered by NCUT.
- Harry – My paycheck would come normal if I were a faculty to teach there
- Provost – Yes.

➤ **Officer/Committee Reports**

- Carmen - You received the packet. The first item of business is approve FS minutes.

- Mike motions that we approve FS minute notes. Tim, on page 3, “but not unanimous”. All in favor. Ayes
 - Accept FSEC report: Mike moves. Laird seconds. All in favor. Ayes carry.
- Christina Carmen, Governance and Operations Committee Chair
 - No report.
- Anne Marie Choup, Undergraduate Curriculum Committee Chair
 - We will meet next week to discuss proposals.
- Laird Burns, Finance and Resources Committee Chair
 - The students are finishing applications for RCEU. The deadline for faculty has another week. They have seen applications as they have come in, so they should have some idea.
- Monica Dillihunt, Undergraduate Scholastic Affairs Committee Chair
 - No report.
- David Johnson, Faculty and Student Development Committee Chair
 - We will meet next week to discuss Bill 418.
- Mike Banish, Past/President-Elect
 - No report.
- Kader Frendi, Ombudsperson
 - No report.
- Tim Newman, Parliamentarian
 - Chapter 5 was reviewed by the handbook committee.
 - Carmen – I want to thank Tim and the committee for putting together the latest draft of Chapter 5. I want to open this up for discussion.
 - Tim – Moves the adoption as written. Mike seconds.
 - Carmen – All in favor of this version. Ayes carry. 1 abstains.
- Bill 417:
 - Mike – Motion to bring bill back. Monica seconds.
 - Carmen – ICR. You have seen this before and it has been discussed. Are there further opinions on this?
 - Vladimir – Have you seen the discussion per email?
 - Carmen – Yes.
 - Vladimir – I would propose that we revise the bill in the ways that were discussed in the email.
 - Mike – Did all receive the amendment per email? I motion to accept the amendment. I motion to approve the amendment. Monica seconds.
 - Carmen – All in favor of amendment. Ayes carry.
 - Jeff – The amendment proposes that we sit down and evaluate the set up options and come back with a report. The amendment strikes the graphics. This amendment takes out these specific proposals.
 - Tim – One thing that wasn’t clear, is that an additional statement or a replacement?
 - Jeff – It is a removal of the second resolution.
 - Tim – Vladimir, what is your guess about your department if the break out is removed and this is placed.
 - Vladimir – I would think it would make it more palatable.
 - Mike – I read this opposite. I don’t necessarily agree with the percentages in there. This basically says that the Provost gets more money.

- Roy – I didn't understand the nature of the proposal of the distribution. There is no free money and the ICR rate is adjusted by how much we actually spend. That doesn't mean you can't change the distribution. I don't understand the objection.
- Vladimir – We are against the revision.
- Roy – Because?
- Jeff – I do not read the same thing. In respect to your concerns, I propose we remove any example in the proposal. I propose that we engage the faculty senate to the finance committee to do the review. I ask that goes across the academic units for input.
- Tim – I think having the percentages in there is important. There is a historical reason for them.
- Carmen – There is some science behind it. These numbers are more arbitrary. Everyone wants more money and that is the thought behind it.
- Tim – I think the amendment is good.
- Harry – I want to make sure that I understand the amendment. I don't read the second paragraph has an example.
- Carmen – This is a hard request and if we move this forward and we could get struck down.
- Provost – A review will have to be made.
- Carmen – We take out the numbers and insert the amendment.
- Monica – I move to end debate. Seconded by Roy.
- Carmen – All in favor of ending debate. Ayes carry. 12 oppose. 2 abstain. All in favor of the amendment as it is before you. 28 all in favor. 1 opposed. 10 abstain. Motion carries. All in favor of the bill amended. 28 in favor. 7 opposed. Bill passes second reading.

➤ Meeting adjourned at 2:19.

FACULTY SENATE EXECUTIVE MEETING

**February 8, 2018
12:50 P.M. CTC 104**

Present: Carmen Scholz, Laird Burns, Christina Carmen, Monica Dillihunt, Anne Marie Choup, David Johnson, Kader Frendi, Tim Newman

Absent: Vladimir Florinski, Mike Banish

- Faculty Senate President Carmen Scholz called the meeting to order at 12:52 pm.
- **Meeting Review:**
 - **Bill 417:**
 - **Bill 419: Placed on agenda for second reading.**
 - **Bill 420: Placed on agenda for second reading.**
 - **Bill 421: Chapter 5 of the Handbook placed on agenda.**
 - **Bill 422: Placed on agenda for second reading.**
 - **Bill 423: Placed on the agenda for second reading.**
- **Officer/Committee Reports**
 - President Carmen Scholz
 - Thank you all for the bus survey. It came out to favor that we all want to go. Tuscaloosa was totally against it. Next week the Chancellor will be here and wants to eat lunch with us.
 - Christina – How many responses on the bus surveys?
 - Carmen – 42.
 - Christina – How many was it sent out to?
 - Carmen – 300. Nursing was heavily responsive. The Chancellor wants a bus tour so we are in favor.
 - In terms of policies, I want to say one word about the three new ones I sent to you. Bob wants the child protection policy and I want to discuss that today.
 - Tim Newman, Parliamentarian
 - The handbook committee met with the Provost. There is an impasse. The Provost essentially desires Dean and Chair appointments to state “at will”. The current handbook in App B, the last sentence, that states the how a Chair could be removed. They would like that to be changed and stated in other chapters that Dean appoints. You are supposed to have vote of the faculty to place a Chair also to remove. There is an impasse there. The committee then discussed that further.
 - Kader Frendi, Ombudsperson
 - No report.
 - Christina Carmen, Governance and Operations Committee Chair
 - No report.
 - Anne Marie Choup, Undergraduate Curriculum Committee Chair
 - We have been approving course and program changes, nothing major to report.

- Tim – Has your committee seen anything in regards to the program to be offered in China?
- Anne Marie – No.
- Tim – The governance structure described in the last senate meeting said there were boards over that.
- Christina – Wouldn't the Chinese government oversee the class material?
- Tim – If you want to go there, under our guidelines our faculty controls the curriculum. What was described was not that. We have gone about things different than other universities there have. That seems out of sync with our governing documents.
- Carmen – The administrative is waiting for the Chinese government then will take it to SACS. Only then will the faculty be able to have a say. I think they take this route to navigate around the senate.
- Laird Burns, Finance and Resource Committee Chair
 - We had a case where one student accepted three proposals. We had to work out the details. We will start scoring and due the 16th.
- Monica Dillihunt, Undergraduate Scholastic Affairs Committee Chair
 - No report.
- David Johnson, Student and Faculty Development Committee Chair
 - Two weeks ago we met to talk about Bill 418. I amended the bill and awaiting responses from the committee.
- Carmen:
 - Chancellor Hayes will be our guest on Thursday. He would also like to have lunch with us beforehand
 - The President sent three policies. I forwarded those to you. He is eager about the Child Protection Policy. He wants this within 60 days. Others he will be more flexible. If you read the policy, the biggest issue is the background check. They request also the training. The background check is for everyone that comes on campus and deals with kids. I talked to the President about implementing this policy may kill some programs.
 - Laird – Who pays for all this?
 - Carmen – If nobody else, UAH will pay for it. It's a program the kids pay into has a fee that goes into UAH.
 - The first policy stated that the person would have to pay for the background check themselves. Do you feel this is an issue in your unit?
 - Anne Marie – For the background checks, it says for the care or custody of the child. If someone comes in to address the group, they are responsible?
 - Carmen – On the first page, it states interaction with children.
 - Monica – It's everyone. Students in the education program have to have one. In the learning center, if a parent wants to come read, they have to have one.
 - Christina – Item number 3, states if a parent/guardian is present, that it's ok? Can we add teacher?
 - Monica – If we have volunteers that come in, they will have to have one.
 - Carmen – It says outreach and service activities; then my students will not go there. My thought on all this is to list all the items that are prohibited to the continuance of programs with children. The President agreed with me

on everything, but states that it will not be changed. It has come from a federal level.

- Tim – We have to have a policy, but we don't have to have all these points.
- Laird – We should list the programs that would be affected. Do the church members that come on campus to have church need one?
- Carmen – They are excused.
- Tim – I thought it said those who contract use with UAH.
- Carmen – It says public.
- Laird – It's a church contracting a facility for an event.
- Carmen – I would put them in the general public section.
- Laird – It is written where there is a lot of gray area.
- Carmen – They have to start keeping an up to date list as well. Who will start keeping all this?
- Monica – How does this affect Let's Pretend Hospital?
- Laird – All the volunteers would have to be screened.
- Monica – I think about all the programs on campus that we offer.
- Laird – We can't rely on individual interpretation. We need to make a list of all the programs to John Caite. I think we just need to email each other the list and compile it.
- David J. – The art department has brought in high school students for photography.
- Tim – If Jose goes to Bob Jones High School, he will have to have a background check.
- Carmen – The faculty have checks when they are hired, but now it is annually and trained.
- Anne Marie – It seems like we should have a policy. There should be some administrative support for that keeping track of the checks.
- Carmen – They are delegating the responsibility to the department.
- Kader – We don't have the money.
- Carmen – Or the time.
- Anne Marie – The extra work that it's adding needs to be brought up.
- Kader – We are always burdened by all these checks. We are swamped.
- Carmen – How do we go from here? I can list the problems and say that a lot of programs will be cancelled
- Laird – Let's start listing the program with the volunteer's then sit down with the President and John Caite. We have to make sure the faculty has some protection with guidance.
- Carmen – It does apply to us. I don't want to be the staff assistant that has to be keeping up with the checks.
- Laird – Our department doesn't have an admin right now.
- David J. – Think about the recruitment. All these activities are about getting students excited.
- Monica – What about the students being recruited for sports activities?
- Christina – We have so many in our department.
- Carmen – Let's deal with this one. It needs to go in front of the full senate at some point.

- Tim – Are we saying that we aren't ready to put this on the agenda?
- Laird – I think we need to show them the concerns and let them add to the list.
- Tim – Why don't you put a bullet under your report and include the policy with the packet.
- Carmen – I think the workload it creates is unacceptable.
- Tim – I think some other organizations have had better common sense about these. There is a thing called Safe Sport and it's an online training. It says you can't be alone with the child aside from your own. It breaks down how to protect you. It works and it's a lot shorter than this.
- Carmen – It also says that I cannot be alone with one kid. If I have one student in the lab, I can't talk with the student? Then there will be no more high school students in my lab.
- Christina – I think there will be very few cases of that.
- Anne Marie – You have to have two unrelated adults.
- Carmen – So talking with a student in my office is a violation?
- Anne Marie – I talk with students about Peace Corps Service. Do I need to make a disclaimer that I am not here as a faculty member? How does this work?
- Items for the agenda:
 - Bill 417: Where are we on this?
 - Tim – This passed at second reading at last senate meeting with amendments. Those aren't here.
 - Kader – The charts are gone and added having a committee.
 - Carmen – This is the first draft so trash it. I will send out the edited version.
 - Bill 419: It was on the agenda and wasn't dealt with. It will be placed back for second reading.
 - Bill 420: This will be placed on there for second reading.
 - Bill 422: This is the clinic one and we will send on the faculty senate. Tim moves to pass clinic bill and place on the agenda. Monica seconds. Ayes carry.
 - Bill 423: This is to cover the OIT Policies. This is to readdress the OIT Policies have fallen into a black hole. The Provost said that they will be a rewrite and take a long time.
 - Carmen – Is there a motion to put this on the floor. Laird moves. Kader seconds. Ayes carry.
 - Bill 424: Laird – I am curious if we amend this for geographical areas.
 - Anne Marie – I don't understand this bill.
 - Tim – I think the whole bill needs to be rewritten for better language.
 - Kader – I had a long talk with Jeff. He is not happy with China thing and this is in regards to that. My discussion with him is not reflective here. It is very vague.
 - Tim – I think this should go to committee to work out language.
 - Kader – Yes.
 - Anne Marie – Can we ask the original writer to clarify?
 - David – I think that would be right.
 - Carmen – There is so much on agenda now. Why don't we send this back for clarification?

- Tim – I move to delay consideration on 424 and go to other business on the agenda and come back at the end. Laird seconds.
- Carmen – All in favor of delaying. Ayes carry.
- Tim – Can we talk about these two other things: Policy on Policies and Sexual Misconduct? There is enough on the agenda now right? Do we think we will be in the mode to say we need more time on both of those?
 - Carmen – Certainly the Sexual Misconduct because it is 33 pages. If we put it on the FSEC in March, we still make 60 days.
 - Kader – For the 33 pages policy, we need a lot of help with that.
 - Tim – I have a lot of points.
 - Kader – We almost need a lawyer,
 - Tim – I think we are seeing a lot of policies come from the different sources than they used to. I think now we are seeing our policies being written by lawyers or attorneys. They give the university protection but we aren't aware of the implication on the faculty side. They have a duty to protect who pays them, the university system. If there is a conflict between you and the university, they have to side with the university. I am afraid we don't have strong expertise to find all these things.
 - Kader – We don't have a law school.
 - Carmen – What is your plan of action? Do you think this policy is detrimental to the faculty?
 - Tim – I could go for hours.
 - Laird – I think we should do the policy on policies to go faster.
 - Anne Marie – What is our current sexual misconduct policy?
 - Kader – There should be one in the handbook.
 - Anne Marie – Can they clarify the difference between this and the existing? It's odd to me it has come up like we need one?
 - Kader – If we have something in the handbook, why can't we modify that? Creating policies and bypassing the handbook is a way to trump the handbook.
 - Monica – It isn't in the handbook.
 - Tim – It could be just on discrimination.
- Motion to approve the agenda. Laird moves. Kader seconds. Ayes carry.
- Adjourned at 2:25pm.