

# FACULTY SENATE

## MEETING #623 AGENDA

CHAN December 9, 2021

12:50 PM to 2:20 PM

### Call to Order

1. Approve Faculty Senate Meeting #622 Minutes from November 18, 2021

2. Accept FSEC Report from December 2, 2021

3. Administrative Reports

4. Officer and Committee Reports

<ul style="list-style-type: none"><li>• President Carmen Scholz</li><li>• President-Elect Joey Taylor</li><li>• Past-President Tim Newman</li><li>• Parliamentarian Mike Banish</li><li>• Ombudsperson Officer Carolyn Sanders</li><li>• Governance and Operations Committee Chair Andrei Gandila</li></ul>	<ul style="list-style-type: none"><li>• Undergraduate Curriculum Committee Chair: Christina Steidl</li><li>• Finance and Resources Committee Chair Laird Burns</li><li>• Undergraduate Scholastic Affairs Committee Chair Emil Jovanov</li><li>• Faculty and Student Development Committee Chair Elizabeth Barnby</li><li>• Personnel Committee Chair Andrea Word</li></ul>
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5. University Committee Reports

6. Business

- Bill 457
- Policy 06.08.10 – Information Item
- Bill 458

7. 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](mailto:facsen@uah.edu)

## **SB 457 Establishment of Protocols Guiding the Hiring of Foreign Nationals**

WHEREAS, UAH engages in the hiring of foreign nationals in a variety of roles, from faculty to staff to researchers to administrators; and

WHEREAS, UAH does not currently have clearly outlined protocols providing guidance on the recruitment, hiring, and professional support of foreign nationals; and

WHEREAS, colleges and centers across campus regularly engage in hiring foreign nationals from a variety of backgrounds and countries of origin; and,

WHEREAS, it is essential that all units engaging in the hiring of such individuals be fully informed regarding the complex processes they must follow during recruitment, hiring, and support of colleagues who are foreign nationals; and,

WHEREAS, diversity is a recognized benefit to the institution's mission;

LET IT THEREFORE BE RESOLVED THAT the UAH administration will convene a task force, including at least one member of the Faculty Senate, to develop a clear policy and protocols to guide hiring units through the recruitment, hiring, and support stages for foreign nationals; and,

LET IT BE FURTHER RESOLVED THAT the resulting policy and protocols will be communicated clearly to all hiring units across campus; and,

LET IT BE FURTHER RESOLVED THAT any changes to the policy and protocols in the recruitment, hiring, and support for university employees who are foreign nationals will be regularly communicated to all hiring units across campus.

**Administrative Brief for Faculty Senate for December 2021**

**Prepared by Dr. Robert Lindquist**

**12/2/2021**

**Academic Affairs**

- **Update from Graduate School: John Hakkila**
  - Process for Graduate Student Dismissal
  - Dissertations/Theses
    - Quality Control
    - ProQuest

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**FACULTY SENATE EXECUTIVE MEETING**  
**December 2, 2021**  
**12:50 PM to 2:20 PM**  
**MSB 109**

***Present: Tim Newman, Joey Taylor, Carmen Scholz, Mike Banish, Emil Jovanov, Christina Steidl, Andrea Word, Elizabeth Barnby, Laird Burns, Andrei Gandila***

***Absent: Carolyn Sanders***

***Ex-Officio and Guest: Interim Provost Bob Lindquist, Interim President Dr. Karr, Rhonda Gaede, Dr. Jon Hakkila***

- **Faculty Senate President Carmen Scholz called the meeting to order at 12:55 PM.**
- **Meeting Review:**
  - **Faculty and Grounds Use Insurance Policy moved to go to Faculty and Student Development Committee.**
  - **Lecturer Bill passed to move to full senate agenda.**
- **Administrative Reports**
  - Interim Provost Robert Lindquist
    - President doesn't have a report. He started yesterday. There aren't any pre-resolutions. I thought it was worthwhile to bring Jon in.
    - Dr. Jon Hakkila
      - Two months here and digging through things. My apologies, we are striving to access the situations. There are some issues we need to address. Looking through the graduate college, there is no formal graduate dismissal policy. What happens if they go on probation? When the student gets dismissed, what is the appeals? It isn't described. Whether we dismiss one or not, we need the policy as an escape hatch. We will try to get something together. We are working with Grad Counsel.
        - Laird – Since it is a policy, it will come through senate.
        - Interim Provost – It isn't a policy but a procedure.
        - Jon – We will send it to you. We will try to introduce without adding any new things. We don't want to create a policy. It should be very straightforward.
        - Laird – There have been differences between the Grad Counsel and the Senate. Could you send a draft to use a week prior?
        - Jon – That is a great idea.
        - Joey – Will we use Tuscaloosa and UAB as a model?
        - Jon – Yes. I am going to pull from them. It won't be a policy but just have the procedure listed. A long term goal is to get rid of the

graduate handbook. It all be in the catalog. We are finding holes now and trying to plug them.

- We met with David Moore in the library. He told us that the library takes dissertations and thesis and loads them in a database. There have been 21 submitted to him. Usually there are 60 to 90. We went back and checked, Susan and me. We found that all 21 done were done since Susan got here. She didn't know that she could go in and look in the que. She went back and looked to see a large number missing. There are still some sitting in the que as far back as 2013. This was discovered as a mix up because I received the form to sign and there wasn't a dissertation and thesis attached. I asked for those and they didn't have any page numbers or references were incorrect. We suddenly realized we have a quality control issue.
- Carmen – I am glad that you are looking at this. ProQuest is a nightmare. It is a frustration that the conduit for us doesn't work. We used to have a copy editor for thesis. The lady isn't here anymore and the quality has gone down. Some professors take more time to edit and some take less.
- Jon – These are spot on comments. This should be what sets the university apart. We should be really proud of these. There are no records and system for bookkeeping. I redirected someone in our office to be the copy editor. We will make sure that nothing is sitting in ProQuest. The problem is there is no quality control on those sitting there for years. We will start keeping track of those submitted.
- Laird – Do we have the formal checklist the student has to go through?
- Jon – When I was copy editing, ProQuest let me send an email to the student stating the mistakes that were made. I would refer them to the thesis manual. These thesis and dissertations have been submitted and signed by committee chairs, Department Chairs and Deans. You think they would have been caught along the lines of that. We want to make this better.
- Mike – We appreciate that. The Grad Deans three deans before you read every thesis and dissertation.
- Jon – I am on the CSGS Committee. I read all the ones that come up to that level. I am hoping the copy editor can help with that.
- Mike – Thank you for bringing up control.
- Carmen – Some professors aren't thorough enough. The lady we had she was tough. She didn't understand the content but she made the theses look good. That was really helpful. You also need to understand the student side. They want to get their copy back to show off. Do we have a procedure/idea whether there is a time limit to being a grad student? A time that they have to produce a thesis?
- Jon – We can bring that up for discussion. It is very standard. They have a total time to qualify. Many of you may remember that.

- Rhonda – We don't have a total time in play.
- Laird – We have a lot of part time PhD students.
- Jon – This will be the decision of the faculty. There are different time limits for full and part time. You might want to increase the flexibility for part time students.
- Laird- We are very glad we hired you.
- Rhonda – There is a limit of six years.
- Carmen – If you want to take that to the committee.
- Jon – It is on the docket. It has gotten bumped back a little but will get there.
- Carmen – Questions for Dr. Karr.
  - Mike – We received a notice that they will release CPAS tomorrow morning. That is what caused us all the problems in the fall.
  - Interim Provost – It tells them they have to progress.
  - Mike – They were going to wait until December 20<sup>th</sup>, but they are tomorrow.
  - Beth – Day before finals?
  - Interim Provost – Who releases it? Is it the government regulation or us?
  - Mike – We don't need to release that the day before finals.
  - Interim Provost – That is in the President's power. We do not control Financial Aid. We will do something about this.
- Mike – My hopes is that during your presidency here you have probably found out that we are the only state institution that did not receive a raise. Bob did protect faculty lines. We were told that we would save that money and do strategic hires with that money. We got positions back and didn't receive raises that was a leaky savings account. The other explanation is we budgeted getting 10,300 students but you are down 500. We looked around and wondered where that number came from. We always heard 10,000 then it crept to 10,300. The other problem is if we are down 500 were they paying or scholarship? That number can't be reported. We have no transparency here. We would be happy with truthfulness at this point in time.
- Laird – When President Dawson joined, I argued about taking a couple of us and going around to introduce yourself. We were 100% unsuccessful. We are grateful that you are already doing some of that. Your physical visibility, not just at games, is appreciated. It is an opportunity for the senate to work with you. Our biggest goal is for you to succeed.
- President – Yesterday was my first official day. I was here three days before during Thanksgiving week. I did meet with VP's, Dean and their staff. I met with the executive committee for staff senate. I met with some students in the mornings. I have asked each Dean to identify what venue would be most appropriate for me to come over and meet some people. I have been to the cafeteria to meet Ms. Carrington and Ms. Shirley. I really enjoy young people and

faculty. I know the challenging job of a faculty member. I appreciate the passion they bring to young people. I do need to get in the community to repair relationships.

- Laird – We are at your disposal to join you. We are happy to go out and show our representation.
- President – I have gotten some sense that the community is thirsty for interaction with this university. I think the President here needs to be external with the students, community, companies.
- Carmen – This is a very rich science/engineering inclined community. They want interaction with us. There is a lot of money floating around this town. However, the giving level to this university doesn't even touch that.
- President – If you look at the development side of the house, I have to establish relationship. I find out the interest of the person, I take someone from that department with me. I try to bring them to campus so they see you here. When I able to bring them to campus, we have to give a good reception. I bring them to help them understand what you do on a daily basis.
- Carmen – When Hudson Alpha opened, and Francis Crick was the keynote speaker there was no one from the administration in attendance. That was noticed. Things have changed and it's a good time to reestablish that.
- President - I appreciate procedures and policies but this a people business. We had a College of Nursing student pass away. I asked when the President should contact the family, they said it wasn't in the chain. That has now changed. I don't know that every decision that comes to my desk will please everyone. I will listen and do my part though. I think there are a lot of interesting opportunities here.
- Laird- When you talk with us we have a lot of energy. It isn't for personal agendas. We are passionate about the university and the students here. We will have emotions here at times. It is all about the institution. We have been trying to understand the budget and the numbers.
- President – You have to understand the budget but also where we are going. That is strategic planning. In my brief discussions, I get a sense there isn't adequate buy in. We are going to back that up. I am going to work to see where we need to go back to. If we have a plan that everyone feels comfortable with, then maybe decisions will be better understood.
- Carmen – That is much appreciated. I can say with certainty that most of what was in previous strategic plans was never realized. I would rather see plans with achievable goals.
- President – The process is very important. You want to have people get engaged with it. There will be things in it that not everyone will agree with. I want you to feel that you have input in it.
- Carmen – Along the way the faculty wants to be appreciated. That should be in the planning.

- President- It is the definitive action items that come out of this plan. We would have a plan and collectively list action items for this year. We would revisit it the next year and see what worked and didn't. I can't come in and lay a solid foundation for the next President to see where we are going. We need to put ourselves in a position where we have a plan.
- Laird – I used to write plans for industry. In the plan, UA invited us to do some collective research. There were some firm believers that we didn't need to share those things.
- President – We need to partner with those who can allow us to do more than we can here. It is working with Texas A&M and grow from that.
- Emil – I would like to add that we can see other institutions have much more presence that are in our backyard. We have either stayed the same or went down.
- President – It is very important that we can try to address research issues. I am going to try an open the door for opportunities.
- Laird – Auburn has a local company come in and started a MBA program. I was told we were moving too slow.
- Interim Provost – Lane Ivey worked under us. One thing you have to understand, it isn't just Georgia Tech. It is a matter of fact of building up capabilities.
- Laird – Lane tried to give that to us aside from being fired from here.
- Carmen – It goes back to supporting the ideas of the faculty. Some may be on the outlandish side. But I do believe that each faculty that comes with a question, request, or idea should be heard. It should be independent of what college that come from. The door should be open to everyone.
- President – That should be the sense all over campus.
- Carmen – We all understand we can't come asking for money. It is about not being in the way when faculty tries to build collaboration.
- President- I fully understand the intensity of a faculty job. It is demanding. I feel like with faculty that I should minimize barriers. We do have to have guard rails in place. One big concept is return on investment. It isn't always based on financial returns. For a faculty to understand the motivation of the administration, it is very important.
- Carmen – We are very happy to have you here.
- Interim Provost – I have a question. Is the reports on things being built useful?
- Tim – It is sometimes.
- Laird – Originally on the reports, it was really just give us a one page summary. Just a highlight.

➤ **Business**

- Carmen – You have a couple of things that I sent via the packet. There was a hiccup with the Lecturer Bill. The latest version was sent a couple of hours ago. We have a brand new



policy that came from Joy Porter. I want to ask if there is a committee that would like to look at it?

- Tim – This is the one that the SGA has had issues with. If they have an event with 100 people or more, they have to have a liability insurance. Our sister institutions have a 500 limit.
- Carmen – Which committee would like to read through it? Would that go with Faculty and Student Development?
- Mike – It should go to Finance and Resources. Establishing liability policies, it should go there.
- Laird- It has to go somewhere.
- Carmen – Do I have a motion to give it to committee? Andrea moves. Christina seconds. All in favor. Ayes carry.
- Carmen - Before Lecturer Bill, I want to point out Faculty and Development that was created by Kwaku last year. It was never acted upon. I want to see if we can draw out points to write a bill upon. This committee worked really hard on it. I don't want this to be lost in the paper shuffle.
  - This has been sent to me by the Senate President at UA. Auburn created a Paternal Leave Policy. Auburn has created paid paternal leave. I think we need to go through it and see if we want to start the process. It will take time. I think it would be of tremendous help to the younger faculty. You have it in the packet.

➤ **Officer/Committee Reports**

- Tim Newman, Past President
  - No report.
- Mike Banish, Parliamentarian
  - No report.
- Joey Taylor, President-Elect
  - No report.
- Beth Barnby, Faculty and Student Development Committee Chair
  - No report.
- Andrei Gandila, Governance and Operations Committee Chair
  - No report.
- Christina Steidl, Undergraduate Curriculum Committee Chair
  - No report.
- Laird Burns, Finance and Resources Committee Chair
  - We are still meeting with Chih Loo on budget issues. We are trying to schedule late January/February meeting.
    - Andrea – It is on Feb. 4<sup>th</sup>.
- Emil Jovanov, Undergraduate Scholastic Affairs Committee Chair
  - We have scheduled meeting for tomorrow morning.
- Andrea Word, Personnel Committee Chair
  - No report.

➤ **Agenda for Faculty Senate:**

- Lecturer Bill
  - Carmen – Where do we stand on this? We have discussed this before but it didn't pass first reading.
  - Mike – It was sent back for corrections.
  - Emil – I would like to introduce motion to send to committee, G&O. I was a member of the ad hoc committee that looked at this. I don't see any of the

recommendations I sent. It is a very serious issue. I don't even know why we had the committee. I haven't seen any of the proposals that were given. I didn't have time to read extremely careful the latest version. This is a very serious issue.

- Mike – Is there a second to the motion to send to G&O?
- Andrei – I second. We just need clarity.
- Emil – There were very specific discussions that we had and were strongly supported. We came up with specific proposals. In engineering it is important to see what the problem is. We have certain departments that have lecturers as temporary employment. The serious concern was that administration can influence work of the faculty senate through temporary employee as lecturers. We had a specific proposal. Lecturers are given a contract to serve one year longer in senate. We proposed that lecturer representation is equal to faculty representation in senate. The third proposal that participation of representative in each unit should be less than half in unit for senate. 90% of lecturers hired as lecturer, 10% tenure. Even in this case, you will not have 90% rep in senate that are lecturer, 10 that are tenure, but 50/50.
- Andrea – Why are we not working the language here to reflect the concerns? Everything that has been written to this bill was provided to this group a month ago. All that was given to me from Jeff was put into a spreadsheet. Why does it need to go back and we not just work on the wording?
- Emil – Do you agree to the three points?
- Joey – Going back to the ad hoc, the proposals were given from faculty. Almost none have three year contracts but two year. It doesn't fit any faculty here. You did address needing to have two year minimum before serving.
- Andrei – I spent a lot of time on this bill. We can take it back but we need to have a conversation of the bill. We need to know the most efficient way to get the correct wording.
- Laird – On the top of page 3, section B, the last sentence. I think that limits you can only have one lecturer. I still have an issue with hiring someone in April with one year left, they shouldn't be legible for senate.
- Emil – The reason I believe it should go to G&O. Some of things require change in bylaws. This could make for more substantial changes.
- Andrea – We have went through Appendix L in the handbook and the version that would change with bylaws changing. All of the bylaw changes are here. Are you saying it needs to go back so they can look at that? Can we separate this from lecturers included in senate to how the language happens?
- Tim – No that isn't in order.
- Andrea – Does it need to go back? Can it go into senate?
- Mike- I don't have a problem with that. The issue is going back to G&O.
- Emil – If you introduce any requirements, I believe that would require changes in a number of places. That is why I suggested it go back. It isn't a question of changes that were made but ones not changed. I don't think it could be changed in discussion of the senate.
- Andrea – When you talk about lecturers in the senate it is conceptual, not procedural.
- Tim – These are your bylaws. If you want to say something, it has to be in the bylaws. You have to make sure all the issues are resolved. You can't send it to

senate and say we are going to resolve it later. If you think it is an issue that needs to be put in.

- Andrea – I am not sure what the issue is. In the bylaw question, what is missing?
- Emil – I don't see any protection. Protection might require changes in the bylaws.
- Mike – I don't see any changes needed to the bylaws.
- Tim – I disagree.
- Carmen – We have no consensus in here. Do we want to go to the full senate with no consensus? Or with a document that we agree upon? We don't know what will come up. If we go split and they don't agree the chance of moving forward is even slimmer.
- Joey – I feel we won't come to a consensus within this body. It has been sent to 20 committees over and over.
- Carmen – Shall it go back to G&O or not. I would like to call vote. All in favor. 2 in favor. 4 opposed. 1 abstain. It does not go. Do I have a motion to approve on first reading? Andrei moves. Mike seconds.
- Tim – There are some revisions that need to be made in the language. Next to last page, you want to change your "and" to "or". Line 3, add comas and "or". If you go down to next line, add comas and "and NTRC Faculty". In point three line three, it is the same change. In point B, add comas "and NTRC Faculty".
- Mike – I will make a motion for Tim's changes. Joey seconds.
- Carmen – All in favor of changes.
- Laird – You can have a lecturer with a semester or year left.
- Tim – The next thing is on the last page, you have two versions of section C. Above the first, you need an explicit statement that "this section C will be in force if the senate bill 459 is accepted by legal; otherwise the paragraph after it will be the section C in force."
- Carmen – Do we have a motion? Laird moves. Andrea seconds. All in favor. Ayes carry.
- Tim – Early in the bill there are references to the faculty handbook. You open the door to handbook rules at other universities. I don't think you want to do that. All references to Appendix L and the handbook need to be replaced with bylaws. I don't think you want to call our Appendix L and the handbook only bylaws. According to board rules, handbooks are subject to review.
- Joey – I thought are bylaws are Appendix L.
- Tim – They are. The position is they are yours and they can be changed. As long as they don't conflict with board rules, you are fine. If we don't mention handbook just call them bylaws.
- Andrea – I just didn't understand.
- Joey – Tuscaloosa explicitly says they will vote to change bylaws.
- Laird – Tim is trying to not trip us.
- Carmen – If we pass first reading, can you bring an updated version next week?
- Tim – No. If you can't get them in today, you can do that on the floor of the senate. I don't think you want your discussion derailed in senate.
- Andrea – Motion to extend five minutes. Ayes carry.
- Andrea – You cannot have a majority that is untenured. I want you to understand that everything was there.
- Laird – Do you want an additional year?
- Joey – Tenure Earning is only appointed two years at a time.

- Andrea – You are getting into unclear HR policies. I think it is really important to know that the timeframes that lecturers in clinical faculty are not consistent among the university. Some will be based on contracts instead of rank and status.
- Laird – If we elect someone to senate, they should be able to fulfill the term. Senior Lecturer should be covered. The lecturers at a time were only by semesters then at five years. The argument was we could do longer term contracts. I get some won't have contracts long enough.
- Andrea – You are positioning eligibility on their contract. The average term of lecturers is eight years. Tying this to contractual limits seems problematic.
- Andrei – The last sentence means in our college, we have only one senator. Potentially the entire college could be represented by lecturers. I think the level of commitment matters.
- Carmen – We are supposed to change language from handbook. The other issue is lecturer in senate.
- Andrea – I did all of the lecturers in 2020, the average is eight.
- Laird – Averages doesn't matter.
- Andrea – What number do I need to look at to show the lecturers are long term serving.
- Laird- I don't think those who have been here eight years and only have one semester should not be on senate.
- Joey- We can do all the charts and data. It comes down to conceptual things. It comes down to us only having a tenured senate or we let everyone serve like Tuscaloosa. Otherwise this is a hypocritical body.
- Carmen – I want to bring it to first reading so we can move it. If we want to get it to first reading, we need to fix the language of the handbook. Are you willing to get to first reading? I would suggest we get through first reading.
- Laird- I am okay with putting on the floor of senate.
- Emil - I want to introduce it here. I want it go to senate with the blue sentence.
- Andrea – If the inclusion of lecturers will take down the senate, we are not strong. We are going to be vulnerable to administration overreach.
- Laird – Can we save it to next week?
- Carmen – We have not passed first reading.
- Joey – I think the same eight have beat this. The senate needs to weigh in.
- Carmen – I don't know if we have to do it here or on the floor. Discussion on blue sentence. All in favor of leaving it in. 3 ayes. 3 oppose. Doesn't pass.
- Laird – Do we send it to the floor without blue sentence? Laird moves. Christina seconds. Ayes carry. 1 oppose.
- Andrea – Motion to move to senate. Laird seconds. All in favor. Ayes carry. 1 opposes.

➤ Meeting adjourned 2:46 PM.

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**FACULTY SENATE MEETING**

**November 18, 2021**

**12:50 P.M.**

**Chan Auditorium**

- ***Present: Tobias Mendelson, Anthony D’Costa, Laird Burns, Angela Balla, Deborah Heikes, Kristin Weger, Christina Steidl, Mike Banish, Rui Ma, Maria Pour, Fat Ho, Sarma Rani, Beth Barnby, Azita Amiri, Donna Guerra, Anna Aultman, Miranda Smith, Leiqiu Hu, Jerome Baudry, Jeff Weimer, Harry Delugach, Themis Chronis, Andrea Word, Sarah Dyess, Michael Crow, Ron Schwertfeger, Carmen Scholz, Joey Taylor, Carolyn Sanders, Tim Newman***
- ***Absent with Proxy: Sophia Marinova, Andrei Gandila, Gang Wang, Lori Lioce, Vineetha Menon***
- ***Absent without Proxy: Dilcu Barnes, Jose Betancourt, Kwaku Gyasi, Emil Jovanov, Chang-Kwon Kang, Susan Alexander, Larry Carrey, Sivaguru Ravindran, Gang Li***
- **Faculty Senate President Carmen Scholz called the meeting to order at 12:52 pm.**
- **Meeting Review:**
  - ***Chapter 7 passed third reading.***
  - ***Bloodborne Pathogen Policy passed with amendments.***
  - ***Bill 467 passed third reading.***
  - ***Bill 468 passed second and third reading.***
  - ***Bill 466 passed second reading.***
- **Carmen - I asked to suspend the sequence and move Chapter 7 after administrative report. Mike moves. Laird seconds. Ayes carry.**
- **Approve FS meeting minutes. All in favor of approving. Ayes carry.**
- **Accept FSEC Report. Tim – Motion to approve with two changes. Page 7, bottom, next to last line. The word voting should say “meetings”. Before Bloodborne Policy, instead of handbook it should say “ombuds bylaw change”. Mike seconds. All in favor of accepting. Ayes carry.**
- **Administrative Reports**
  - **Interim Provost Robert Lindquist**
    - **There isn’t much to report. Most of these weren’t voted on, so I don’t want to influence the senate. We received some heads up that bills were coming and asked for clarification. I don’t really have a report. It has been a transient time these past few weeks. I will answer questions the best I can. The Communicable Disease Committee did meet. Auburn and Alabama have lessened the mask policy. We have decided to remain the same. UAH was not open to reducing the mask until the end of the term.**

- Harry – I am very pleased to see an itemized list of bills from the Provost that we have forwarded with a status. It has been a long time since a response like this has come. We will want to follow up after decisions are made. I am very pleased.
- Carmen - There was a little bit of confusion here. They have been passed through first reading and became known to the Provost Office via the Senate meeting packages but we didn't expect for a response. I do appreciate all the help.
- Carolyn – UAB, what is their masking policy?
- Interim Provost – I believe they have not lessened any restrictions at this moment. I believe UAH and UAB have taken their own path in regards to the system. There is no system mandate.
- Tim – I wanted to ask if commencement is still on target.
- Interim Provost – Yes. It won't be similar as to what we planned with Dr. Dawson but it will be Dr. Karr standing there. The diploma will have Dr. Dawson's name on them.
- Laird – I wanted to publicly thank the Provost again for stepping up to work with the senate. We encourage the same behavior with a new provost.
- Jeff – When would you anticipate that there would be another meeting in regards to the mask mandate? Not that you know the decision, but the news would come out for spring?
- Interim Provost – I think they meet two weeks after they met yesterday. There isn't any other option until we know the status we are in or that changes.
- Carmen – We will now move to the discussion of Chapter 7. There were no amendments made we were still discussing. Are there any amendments? All in favor of Chapter 7 as the bill is before you. I would suggest a secret ballot.

➤ **Officer/Committee Reports**

- Carmen Scholz, President
  - I want to talk about the BOT meeting. The UA Systems have reached an agreement with Elsevier Publishing House for a joint contract for all universities in the system. The price is \$ 18.5 million with an annual increase of 1.5-2%. I want to thank the senate. That is what we have pushed over the years. I want to thank Mike, Tim, and Jeff. This is a major accomplishment. It should be implemented 2022.
    - Mike – I want to thank you for the thank you. Everyone needs to realize what a momentous thing this is. We have finally have the state fighting for us against these monopolies of publishing's.
    - Carmen – I want to state that I sent a thank you note to Clay Ryan.
  - We come to what the university plan is in regards to buildings. We have a ground lease for the forensic lab. It will be placed behind Tech Hall. I think it is very advantageous to the university. We anticipate chemistry, biology, and psychology students will be involved with the lab. The Alabama lab is the second oldest in the nation. They will perform drug chemistry, genetic testing, and death investigations.
  - The ACT/SAT score is optional. One third of students in Tuscaloosa took the test. They had the largest freshman class in history. The board members did ask questions. The optional testing seems to worry them to some extent.

- I attended the Counsel of Alabama Faculty Senate Presidents. The representative from ACHE spoke about how to implement the work force development demands made by Governor's Office. He mentioned apprenticeship being tacked on to degrees. The Provosts of all universities are working on that. Personally, I don't have an opinion on that.
    - The second and bigger issue discussed are the developments in Georgia where tenure is replaced with continued evaluation. There is some concern that it may be on the agenda for the legislature as soon as next January. It is an erosion on the institution of higher learning. The value of tenure is not understood by those who make decisions. I wasn't aware that it may come to Alabama quickly. The Faculty Senate Presidents agreed to work on a statement if it makes it there.
      - Jerome – Will you ask us to discuss that collectively?
      - Carmen – I am wanting on instruction from the President of that counsel. I will keep you informed. We will not release a statement beforehand. If I am tasked to do something, I will involve you all.
      - Laird – At what point would we consider asking the system office their perspective on this?
      - Carmen – We have the trustees here in January. I think we could discuss that then with them.
      - Angela – Is there a reason to wait? What is the rationale on waiting to make a statement?
      - Carmen – The consensus was we don't want to give anyone an idea. As soon as it shows up, we will act but not before that.
- Joey Taylor, President-Elect
  - I attended the BOT meeting with Carmen. They talked about micro academics. This will mean more certificates given to students (outside of degrees) relative to their current or aspirant jobs. We (the UA System) signed a deal with Elsevier for journal access that will benefit us more than UA or UAB because of the costs. These deals are important because we are far behind UA and UAB in monies. UA is in the middle of the Tide Pride Campaign (having already raised nearly \$1 billion of the \$1.5 billion goal). Some senators have talked about bringing our advancement office in to the Senate meeting ask some questions. This office's approach has always been conservative. I think it is something we need to think about going forward.
- Tim Newman, Past President
  - No report.
- Mike Banish, Parliamentarian
  - I think one thing we discussed in FSEC was having a separate FS meeting where Chi Loo agreed to meet with us to outline the budget. He has always been open to share. He understands the numbers better than anyone. If you wanted to see if there was any interest?
    - Carmen – Yes, we said that we would use a senate time slot. Mike/Andrea, you are leading. Any idea on a date?
    - Mike – Who would be interested in sitting in this?
    - Carmen – I think this warrants a classroom.
    - Andrea – Just so you know Chi will walk through a narrative. It is not just numbers. He is extremely versed in communicating and answering questions. He explains very well. If you are at all interested in

understanding what is going on, I encourage you to come. It is a pleasant experience to work with him.

- Laird – Andrea and I have been working on this for three to four years. He has been very supportive. My suggestion is to pick one in January. Maybe the last week of January.
  - Carmen – Like I said, Mike/Andrea you are tasked with setting this up and letting the senate know. Let me know how many are interested.
  - Carolyn – Tim went through a lot of trouble to dig through numbers. Those questions to Dr. Dawson went unanswered. I hope that we will keep those questions in regards to lack of raises on the forefront.
  - Laird – I advocate that we not put Chi Loo on the spot of raises. That is not his decision.
  - Carolyn – I understand that. The question was understanding the numbers that Tim pulled out.
  - Laird – May be we can send questions ahead of time so he is prepared.
- Carolyn Sanders, Ombudsperson
    - No report.
  - Andrei Gandila, Governance and Operations Committee Chair
    - Ron - We had last month a ballot for two elections. This month we need to fill a vacancy on Traffic Appeals Committee. I will pass out the ballot, please return to me.
  - Christina Steidl, Undergraduate Curriculum Committee Chair
    - We met today and approved 67 curriculum changes.
  - Laird Burns, Finance and Resources Committee Chair
    - No report.
  - Emil Jovanov, Undergraduate Scholastic Affairs Committee Chair
    - No report.
  - Beth Barnby, Faculty and Student Development Committee Chair
    - No report.
  - Andrea Word, Personnel Committee Chair
    - No report.
- University Committee Reports
- Andrea – Community Engagement will have their final report on strategic planning.
    - Carmen – There is a question mark now that we have a new President.
    - Ron – David Moore had the Library Committee meet November 5<sup>th</sup>. In regards to funds, we have added e-books. We are in a good place for FY23. We have renewed many subscriptions at a 1-2% increase, instead of the typical 5%. Elsevier was approved at a -1% increase. That is a significant savings. David will need to meet again with the next Provost to look at funding for those routine subscription increases. Dr. Lindquist and Dr. Gaede have asked the library to look at the information literacy learning objectives in the First Year Experience courses across campus; the library will be working on that. He discussed the upcoming launch of the new Institutional Repository through the library. Ron asked about sharing the notes and slides from this meeting; he will send those to Lauren to share.
    - Carmen – We have dropped requirements to leave bound copies of dissertations. Now we are here with students gone and a collection of paper leaves. Can you speak to that?



- Ron – I will relay that to David. That isn't just your department. I believe David has been in touch with Dr. Hakkila.
  - Carmen – Can I have the vote count for Chapter 7? We have 28 yes, 4 no, and 2 abstain. That means Chapter 7 has passed third reading.
- **Bloodborne Pathogen Policy**
  - Carmen – This is the policy and it refers to this plan. Beth and her committee were working through this plan to see if it was acceptable.
    - Beth – There was only one controversial thing. That sentence could be removed. It was a reference to a location at the University of Virginia where managers who needed additional information could go. We could leave it or remove it. Otherwise, the committee agreed it was ready to go forward.
    - Carmen – We need to decide how I return it? With the sentence or without? Do we want a reference to the Virginia Health System? Or replace with something close to Alabama?
    - Mike – I take the second one.
    - Beth – It isn't needed for the policy.
    - Mike – Motion to strike the sentence. Jeff seconds.
    - Carmen – All in favor of striking that sentence? Ayes carry. With the policy, I send back with a list of changes. I also will recognize that you fixed the hyperlinks. Do I have a motion to vote on this policy? Jeff moves. Jerome seconds. All in favor of accepting this policy as amended? Ayes carry.
- **Bill 467**
  - Beth moves to approve on second reading. Laird seconds.
    - Carmen – All in favor of approving. Ayes carry. 1 abstains.
    - Mike – There was some discussion from the Provost that the "whereas be resolved" that we asked for is almost impossible to implement. Our Dean has lunch once a semester with faculty senators and asks what is going on. That perceived causes a problem indirectly. I think it needs to be cleaned up.
    - Jeff – As the author, the intent of the bill certainly does not have to get in the way of the wording. The disconcerting fact is that Deans will sit with faculty and tell them how to vote under threat. How the wording is adjusted, I am open.
    - Joey – I think Bob wanted a clear action called for. He felt there wasn't a clear action.
    - Jeff – If we want to put it on the Faculty Senate President if there are rumors. Then the President can bring that to the Provost. "Undertaking any actions that attempt to influence in any way."
    - Tim – There is no motion. I move to third reading. Mike seconds.
    - Jeff – Now the amendment.
    - Jerome – Is this acceptable? I think we leave it open for the ex-officio to speak.
    - Jeff – There is a difference in purposeful intent/opinion. I don't know if your distinction could be made in that. I would agree that I am not asking that we limit opinions be listed. This is an attempt to influence. I would err on the side of caution that Deans not speak up unless asked for their opinion.
    - Tobias – The FS request any member from the administration refrain from taking any undue influence.
    - Carmen – This policy had a reason for being written.
    - Tim – I second the motion to amend.
    - Carmen – All in favor of the language as it is shown now. Ayes carry.

- Member – At the end, add “on the grounds of shared governance.” It drills down the message.
- Mike seconds the motion.
- Carmen – All in favor of the language as it is shown now. Ayes carry.
- Jeff – I want to vote for third reading.
- Carmen – All in favor as it is. Ayes carry. Bill passes third reading.

➤ **Bill 468**

- Carmen – Motion to approve on second reading. Mike moves. Carolyn seconds.
  - Jeff- I will open the floor as the initiator. I am glad to have the feedback from the Provost. I respect the comments back from him. I will provide background. This varies from college to college. There are some Deans that are more than willing to sit down with faculty. There are Deans that blatantly ignore request. It would be the same as us ignoring the students and their complaints. It was based on the process of hiring and reappointing Chairs. The concern is the faculty should stay away from the hiring decisions. In the interest that this bill receive prompt approval, I have some broad based changes to suggest. They are here today in red. That this amended revision be put forward for second reading.
  - Carmen – Here are the changes in red.
  - Angela – Is there any interest in the senate to have a separate bill in regard to hiring?
  - Carmen – There are no constraints to bring another bill forward. This bill was also written with purpose. All in favor of the amendments. Ayes carry. 1 abstains. All in favor of the bill as amended. Ayes carry. 1 abstains. Bill passes second reading.
  - Jeff – I move to third reading. Mike seconds.
  - Carmen – All in favor of this motion. Ayes carry.
  - Mike – I move to suspend rules to move to third reading. Laird seconds.
  - Carmen – All in favor of third reading. Ayes carry.
  - Mike – I make a motion to introduce Bill 466. Deborah Heikes seconds.

➤ **Bill 466**

- Carmen – Do we have any discussion?
  - Ron – I wanted to point out the way the bill was submitted with ballots. Could I suggest removing that?
  - Jeff – I do not see the request for the report in a certain period of time?
  - Mike – You are not missing that.
  - Jeff – Any proposal on a timeframe?
  - Mike – Since we asked the Chancellor’s Office for it, I think that makes the statement. We can be upset if Dawson didn’t return documents. The weight is asking the Chancellor.
  - Jeff – I am satisfied.
  - Carmen – There is a motion to delete ballots. Mike seconds. All in favor of deleting ballots. Ayes carry.
  - Carolyn – There are a few typos on the last page, third sentence. Chancellors should be Chancellor’s. Same thing in the next sentence. In the last line as well and remove apostrophe with trustees.
  - Jerome – The first sentence of the same paragraph.
  - Tim – This is a demand so it should be plural. “Of by” is a problem.
  - Carolyn – Get rid of “of”.

- Andrea – In the second paragraph it would be helpful to not request the request. There was a discussion at FSEC as to what these are called.
  - Tim – Retention Incentive.
  - Jerome – He did state that it was in his contract. There isn't anything you can do about contractual issues.
  - Carolyn – I accept friendly amendments. I think we should state "any". Last line, we are using bonus payment. We should be consistent.
  - Tim – Can we vote?
  - Member – Chancellor's Office is capitalized in some paragraphs but not at all.
  - Joey- I would capitalize it.
  - Andrea – Can you request a fiscal analysis without stating what it is for?
  - Mike – It says underneath the reason why.
  - Andrea – Are we analyzing the cost?
  - Mike – If you go back to the beginning, Dr. Altenkirch said we always did an analysis. Stating if we do this, we will get more money. We have done all these things and have less. Someone did an analysis and said it was true.
  - Carmen – All in favor of language changes. Ayes carry. All in favor of this bill with amendments. Ayes carry. Bill passes second reading unanimously.
- Meeting adjourned 2:17 PM.

Senate Bill 458: Inclusion of Lecturers Among Full-Time Faculty as Eligible for Faculty Senate Membership [with Bylaw Revisions]

History

presented to FSEC, 1/22/21  
returned to originator with request for clarification on language amending by-laws  
presented to FSEC, 2/11/21  
voted to defer  
raised in FS as question of order, 2/25/21  
voted to send to G&O  
raised in FSEC as report of G&O, 3/4/21  
discussed in G&O, 3/5/21  
G&O returned to FSEC  
called for first reading, failed first reading, voted to defer in FSEC, 4/1/21  
~~remanded, referred~~ to Ad Hoc Committee in FSEC, 4/22/21  
query regarding Ad Hoc Committee activity in FSEC, 9/9/21  
Ad Hoc Committee returned report to FSEC  
~~bill (and report) remanded, referred~~ to Personnel Committee to consolidate, 10/14/21  
discussed in Personnel Committee, 10/28/21 and 11/04/21  
Personnel returned to FSEC, 11/5/21  
~~returned to Personnel Committee for further revisions per language in Appendix L and pending resolution/bill, 11/11/21,~~  
~~passed first reading, FSEC, 12/2/21~~

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“When half or more of the faculty at an institution may not participate in meetings of the faculty senate, when decisions about revisions to a course are made without input from those who teach it, or when the majority of a department’s faculty has no voice in the selection of its chair, something is amiss.” (AAUP Report on “The Inclusion in Governances of Faculty Members Holding Contingent Appointments”)

“Faculty must participate in the structures of their governance systems because if they do not, authority will drift away from them, since someone must exercise it, and if members of the faculty do not, others will.” (AAUP 1994 Statement on the Relationship of Faculty Governance to Academic Freedom)

Whereas the AAUP recommends in pertinent part both that “Faculty’ should be defined inclusively rather than exclusively” and that “Faculty members who hold contingent appointments should be afforded responsibilities and opportunities in governances similar to those of their tenured and tenure-track colleagues” (AAUP Report on Governance of Faculty Members Holding Contingent Appointments); and,

Whereas “[t]he Faculty Senate is the permanent body representing the faculty for the formulation of university policy and procedures in matters pertaining to institutional purpose,

general academic considerations, curricular matters, university resources, and faculty personnel (appointments, promotion, and tenure);<sup>1</sup> and,

Whereas other members of the full-time, non-tenure, renewable contract (NTRC) faculty, including Clinical and Research Faculty, are eligible to serve in UAH's Faculty Senate; and,

Whereas full-time Lecturers are NTRC employees subject to reappointment and annual or biennial review,<sup>23</sup> with opportunity for advancement in rank;<sup>4</sup> and,

Whereas full-time Lecturers have a significant and vested interest in--as they are affected by-- Faculty Senate decisions that concern issues of teaching and curricula, academic organization and administration, university finances, and matters of employment benefits; and,

Whereas the exclusion of full-time Lecturers from the Faculty Senate is antithetical to the Senate's stated goal of shared governance; and,

Whereas full-time faculty of all ranks, including Lecturers and Instructors, are eligible to serve and vote on Faculty Senate at our sister campuses, UA and UAB; and,

Whereas Senators are elected for two-year terms (Senate Bylaw II.D) while the length of Lecturer contracts is often one year; and,

Whereas in the past years the number of lecturers continued to rise, their number doubling in some colleges (Science); and,

Now, therefore, be it resolved that the following sections of the Faculty Senate Bylaws ~~as presented in Appendix L of the Faculty Handbook or, pending final approvals, as recently revised in Faculty Senate Resolution 20/21-04~~, be changed accordingly to include "lecturers" among other full-time faculty--tenured, tenure-earning, research, and clinical faculty--as these sections regard Faculty Senate membership eligibility, duties, and Faculty Senate representation requirements per academic unit or department.

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<sup>1</sup> Faculty Handbook 6.2

<sup>2</sup> According to Chapter 7 of the current Faculty Handbook, Research Faculty appointments are "for one year and are subject to annual review prior to reappointment or non-reappointment" (7.2.2.1). Clinical Faculty are subject to "non-tenure earning appointment[s] of one to three-year renewable contracts" with "contract renewal . . . always based on curricular, enrollment, and financial factors as well as on individual faculty evaluation" (7.2.2.2). Lecturers are subject to term appointments from "one semester to three years, with the initial appointment usually for one year" and these appointments "may be renewed depending on the satisfactory performance of the lecturer and continuing instructional needs of the department" (7.2.2.3).

<sup>3</sup> According to the Policy 02.01.60 Policy on Lecturers, individuals holding full-time status as non-tenure track faculty, are expected to perform service as a condition of promotion, and are protected under the

<sup>4</sup> Lecturer Series, Academic Policy 02.01.60, retrieved from <https://www.uah.edu/policies/02-01-60-lecturer-titles-and-positions>

And, be it also resolved that upon final approval of S.R. 20/21-04, the following sections of the Faculty Senate Bylaws be changed accordingly to include "lecturers" among other full-time faculty--tenured, tenure-earning, research, and clinical faculty--as these sections regard Faculty Senate membership eligibility, duties, and representation requirements per academic unit or department.

And, be it also resolved upon final approval of S.B. 459 (Revision to Ombudsperson, Ch 4), that Faculty Senate Bylaws be changed accordingly to include "lecturers" among other full-time faculty--tenured, tenure-earning, research, and clinical faculty--as this section regards Faculty Senate duties in election of officers.

And, be it also resolved that the Faculty Senate president will cause the ~~Faculty Handbook~~ Senate Bylaws to be updated as needed upon approvals by legal counsel of S.R. 20/21-04 and S.B. 459.

~~Current Handbook~~ Current Senate Bylaws, Appendix L, Section II. Membership (Sub-sections B, C, E)

B. Any full-time tenured or tenure-earning faculty as well as non-tenure, renewable contract, (NTRC, meaning research, clinical or lecture faculty) faculty~~Any tenured, tenure-earning, full-time tenured or tenure-earning faculty as well as NTRC faculty~~clinical faculty, or research faculty member, including department chairs, will be eligible to be elected to membership in the Senate; administrators above the level of department chairs are not eligible to serve.

C. Distribution.

1. Each of the units:

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

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

2. Each unit named in (1) which has formally recognized departments will elect its senators as follows: within the unit each formally recognized department will elect one member of the

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Senate for each seven ~~full-time tenured, tenure-earning, faculty, or NTRC faculty~~~~tenured, tenure-earning, research or clinical faculty in the department,~~ or major fraction thereof. Elections will be by the ~~full-time tenured, tenure-earning, faculty and NTRC faculty~~~~tenured, tenure-earning, research and clinical faculty~~ of each department. If necessary, all ~~full-time tenured, tenure-earning and NTRC faculty~~~~tenured, tenure-earning, research or clinical faculty~~ will then elect sufficient at-large members to bring the total unit membership (including departmental selections) up to the number required to achieve the 1:7 ratio.

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

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4. At the start of the academic year, the secretarial staff of the Senate will determine the number of members to which each unit and department is entitled. In the event that any unit or department is entitled to additional members, they will be elected immediately and the Senate will determine by lot whether the term of office will be until the end of the first or second following year. In the event that any department or unit suffers a decrease in the seats to which it is entitled, the terms of the requisite number of senators from that department or unit, beginning with the senator with the shortest service in the Senate and proceeding in order of length of service, shall end immediately.

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

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#### 20/21-04 Revision, Appendix L, Section II. Membership (Sub-sections B, C (1-3), E)

B. ~~Any full-time tenured or tenure-earning faculty as well as non-tenure, renewable contract, (NTRC, meaning research, clinical or lecturer faculty) faculty~~~~Any full-time tenured or tenure-earning faculty as well as NTRC faculty~~, including department chairs, will be eligible to be elected to membership in the Senate; administrators above the level of department chairs are not eligible to serve. Faculty must have two consecutive years of full-time service at UAH before they are eligible to serve in the Faculty Senate. If a formally-recognized department from the units listed in (II.C.1) is represented by two or more members, based on the algorithm described in (II.C.2), only ~~up to~~ one member can be NTRC, where unit staffing allows.

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#### C. Distribution

1. Each of the units:

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

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

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

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

E. Each college or academic department is responsible for determining nominees for their faculty senate membership, and is responsible to conduct elections. All the full-time tenured, tenure-earning, research, clinical, and lecturer faculty members of an electoral unit shall be eligible to vote in the election of senators. Vacancies in the representation of any department or unit shall be filled as soon as practical by the department or unit by election.

20/21-04 Revision, Appendix L, Section III: Officers and Staff of the Faculty Senate, subsection C.

C. Election of Officers: In the spring of each year, the Senate Governance Committee will nominate from the Senate membership (from current members of the faculty senate and from newly-elected incoming members) candidate(s) for president-elect and ombudsperson. Contract faculty must have at least three years left on their contract in order to become nominees for the position of president-elect. The names of these candidates will go to all full-time tenured faculty, tenure-earning faculty, clinical faculty, research faculty, and lecturers of the university for



election. This election will be conducted by the Senate Governance Committee before the end of the spring semester. As the president and president-elect serves the entire faculty, the department/unit from which the president/president-elect is selected will elect another senator to represent the department/unit during the officer's term of office.

~~This section C~~The following paragraph will be in force if Senate Bill 459 is accepted by Legal; otherwise, the paragraph after it will be the Section C in force.

~~Current Handbook~~, Appendix L, ~~S~~section III: Officers and Staff of the Faculty Senate, subsection C.

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

Revised language regarding election of Ombudsperson, per S.B. 459.

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

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**THE UNIVERSITY OF ALABAMA IN HUNTSVILLE**  
**FACILITY AND GROUNDS USE INSURANCE POLICY**  
**INTERIM**

<b><u>Number</u></b>	06.08.10
<b><u>Division</u></b>	Finance and Administration – Office of Risk Management and Compliance
<b><u>Date</u></b>	Effective November 2021
<b><u>Purpose</u></b>	<p>The University of Alabama in Huntsville (“University”) is exposed to a financial risk from negligent/wrongful acts when Third Party Entities and other entities and individuals not covered by University insurance programs use facilities and/or grounds owned by or under the control of the University. To reduce this financial exposure, the University requires Third-party Entities and other entities and individuals not covered by University insurance programs using University facilities and/or grounds to maintain insurance to reasonably protect the financial interests of the University. Some of the activities that may give rise to financial exposure include, but are not limited to:</p> <ul style="list-style-type: none"><li>• Youth Programs or Activities – Including overnight camps, day camps, workshops, classes, lessons, etc.;</li><li>• Amusement devices (e.g. inflatables, dunk tank, rides, climbing walls, etc.);</li><li>• Recreational activities (e.g. walks, runs, dances, car smashing, etc.);</li><li>• Competition sports and/or team activities (e.g. flag football, laser tag, dodge ball, etc.);</li><li>• Use of equipment and/or demonstration of scientific principles that involve the use of hazardous materials, dangerous substances, pressurized cylinders or vessels, exothermic or endothermic reactions, open flames, lasers, etc.;</li><li>• Concerts, dances, and events with live or amplified music;</li><li>• Arts and crafts displays or shows;</li><li>• Sale of goods to the public;</li><li>• Demonstrations and/or interactive displays;</li><li>• Food preparation and/or food sales or service to the public – including competitive cook-offs or food festivals;</li><li>• Parades, festivals, vigils, protests and other notable public gatherings that are not University-sponsored events.</li></ul>

Note that the use of pyrotechnics/fireworks on the UAH campus are not allowable except as provided for in other relevant University policies, including the Dangerous Weapons & Firearms policy (policy 06.02.05).

**Policy**

Subject to the exceptions described in this Policy, all Third-party Entities and other entities and individuals not covered by University insurance programs hosting events and/or conducting operations at the facilities or on the grounds owned or operated by the University must provide evidence of comprehensive general liability insurance and may also be required to offer evidence of automobile liability and workers' compensation insurance.

Where the financial exposure is deemed either insignificant or more significant, the University's Office of Risk Management and Compliance (ORMC) will review the proposed operation or activity and may require or make adjustments to the insurance requirements to fit the situation.

This Policy does not apply to University-sponsored public events such as scheduled sporting events (including pre/post game activities) and other University-sponsored events unless an outside Third-party Entity or non-University organization or individual will provide a service or conduct some form of activity which poses an increased risk not typically associated with events which are social or educational in nature (refer to above list for examples) and which may include the preparation, service, and/or consumption of food and beverages.

This Policy does not apply to business meetings and casual gatherings that do not involve any notable activities (refer to list above for examples) and do not involve large crowds (over 100 persons) and are largely held in the form of a seminar, educational session, reception, or display of goods/services (without demonstration).

**General Insurance Requirements**

Unless adjusted or waived by the ORMC, Third-party Entities and other non-University organizations and individuals not covered by University insurance programs must obtain and maintain in force for the duration of the event or activity the following insurance coverages:

**Commercial General Liability ("CGL")**

Each Occurrence – Premises/Operations & Personal Injury \$1,000,000

General Aggregate \$2,000,000

Fire Damage Liability \$100,000

**Commercial Business Automobile Liability**

(Required if operating vehicles on UA property beyond the routine transportation of persons to and from the event.)

Combined Single Limit \$1,000,000

**Workers' Compensation and Employer's Liability**

(Required if the requesting party has employees working on UAH Property.)

Workers Compensation (Coverage Part A) *Statutory limits*

Employer's Liability (Coverage Part B) - Per Occurrence \$500,000

**Sexual Abuse and Molestation**

(Required for Youth Programs or Activities conducted by Third Party Entities.

Consult the University Child Protection Policy for additional requirements.)

Each Occurrence \$1,000,000

General Aggregate \$2,000,000

**Acceptable Insurance Carriers**

The policies must be issued by an insurance company licensed in the State of Alabama carrying a minimum A.M. Best's rating of A- VII.

**Certificates of Insurance**

The University must receive a Certificate of Insurance prior to the scheduled event. The certificate of insurance must include the following elements:

- Insured Entity
- Insurance Carrier(s)
- Policy Effective and Expiration Dates
- Policy Number(s)
- Policy Limits
- Cancellation Notice Provision (minimum ten (10) days for non-payment of premium, minimum 30 days otherwise)
- Additional Insured and Waiver of Subrogation Language as Follows:  
"The Board of Trustees of the University of Alabama for and on behalf of the University of Alabama in Huntsville, its individual trustees, officers, directors, employees, agents and representatives are included as an additional insured on the Commercial General Liability policy. Unless precluded by law, all policies waive the right to recovery or subrogation against the Board of Trustees of the University of Alabama, its individual trustees, officers, directors, employees, agents and representatives."

### **Insurance Requirement Review and Modifications**

In certain cases, the University's ORMC may waive, reduce, increase, or allow exceptions to the general insurance requirements listed above. For the sake of example only, but not in limitation, a basis for an adjustment to the insurance requirements might include the following:

1. Entities with the financial strength to self-insure part or all of insurance requirements outlined above as evidenced in audited financials reflecting a net worth adequate to absorb self-insured losses.
2. If an entity elects to participate in a self-insured workers' compensation program, the insurance requirement may be waived if the self-insured entity or group trust is in good standing with the authorizing agency.
3. If an individual or entity is exempted from the workers' compensation statutory requirements due to the limited number of employees, the coverage requirement may be waived if the event or activity does not otherwise generate a risk or hazard which the University ORMC deems unacceptable. A waiver and/or release of liability may be required if a workers' compensation exemption is allowed.
4. Any entity or group associated or affiliated with the State of Alabama or a United States governmental agency is typically exempt from all insurance requirements. The University's ORMC will review on a case-by-case basis requests by other governmental entities (e.g., municipalities) seeking such an exemption.

Requests for review and/or modification of insurance requirements must be submitted in writing to [riskmanagement@uah.edu](mailto:riskmanagement@uah.edu).

### **Applicability to Registered Student Organizations and Fraternities / Sororities**

This Policy applies to all Registered Student Organization (RSO) classifications with the exception of Sponsored RSOs. Sponsored RSOs are covered under University insurance programs so long as activities are within the scope of the organization's campus mission and charter. All other RSOs are subject to the requirements of this Policy.

This policy applies to all Fraternity and Sorority organizations. Certain Fraternity and Sorority organizations may be contractually required to provide the University annual proof of general liability coverage by way of a Certificate of Insurance. This annual proof of insurance, when provided and if meeting the above Certificate of Insurance requirements, and when valid for the date(s) of the requested event(s), will be considered to have meet the requirements of this Policy.

## **Definitions**

Registered Student Organization (RSO) – Student organizations currently registered through and in good standing with the University Office of Student Life in accordance with applicable University policy(ies) including the Student Handbook.

Sponsored Registered Student Organization – A distinct classification of RSO assigned by the University Office of Student Life. Sponsored RSOs typically serve as ambassadors for the University and/or provide university-wide services for students and student groups (e.g., SGA, Lancers, UAH Cheerleading, UAH Pep Band, ACE, Residence Hall Association, SOAR).

Third-party Entities – Outside, non-University organizations or individuals.

Youth Participant – Any individual under the age of 19 or and individual under the age of 21 years old who is incapable of self-care because of mental or physical disability.

Youth Programs or Activities – Any: (1) event, operation, or endeavor operated, conducted, or organized by any Third Party Entity, University department/unit, or any organization supported by or affiliated with the University or occurring on University property, (2) that includes Youth Participants or that otherwise falls under the University Child Protection Policy, and (3) during which parents or guardians are not expected to be responsible for the care, custody, or control of the minors.

## **Scope**

This Policy applies to all faculty, staff, students, contractors, vendors, Third-party Entities, and other organizations and individuals not covered by University insurance programs and seeking to use facilities and/or grounds owned by or under the control of the University

## **Review**

The Office of Risk Management and Compliance is responsible for review of this Policy every five (5) years or whenever circumstances require.