


## **MEMORANDUM**

To: Timothy Newman  
President, Faculty Senate

From: Darren Dawson   
President

Christine W. Curtis  
Provost and Executive Vice President for Academic Affairs

Subject: Response to Faculty Senate Resolution 20/21-04: Senate Bylaws

Date: January 12, 2021

The Faculty Senate passed Faculty Senate Resolution 20/21-04: Senate Bylaws for changes that were recommended in 2019.

Our review of the Senate Bylaws as presented in Faculty Senate Resolution 20/21-04 showed several errors of fact that need to be corrected as well as several areas where we recommend that the Faculty Senate rectify as soon as possible.

### **Section II. Membership C. Distribution.**

The College of Professional Studies needs to be added to the distribution list.

### **Section IV. University Committees. Faculty Finance and Resources Committee**

In the paragraph before Membership, the following sentence states, “The Senate will be represented on the Priorities and Resources Advisory Committee by the chair of the Senate Faculty Finance and Resources Committee, one other member elected by this committee, as well as the Senate president-elect.” To our knowledge, the Priorities and Resources Advisory Committee no longer exists. The Budget and Planning Advisory Council is the closest current version of the Priorities and Resources Committee. The Faculty Senate membership to the Budget and Planning Advisory Council is the chair of the Finance and Resources Committee and the President of the Faculty Senate.

### **Section V. Senate Rules Regarding University Committees**

#### **University Standing Committees.**

The first paragraph of the University Standing Committees contains several inaccuracies. The paragraph is given below.

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

The first sentence in the above paragraph that does not accurately describe the current situation is “Unless otherwise stated, faculty members shall be selected by (but not necessarily from) the Faculty Senate and shall at least equal in number administration/staff representation on each committee.” This statement does not apply to a number of University Committees because their membership is either student-oriented, university-oriented including the entire university community of students, faculty, staff, administrations, regulated by federal laws and regulations, or administrative/regulatory in nature. Limiting the above statement to those University Committees that address faculty issues and responsibilities is appropriate and accurate. This sentence needs to be changed.

The sentence in the middle of the paragraph, “In cases where this ex-officio member serves as chairperson, members of the committee shall select a faculty member to serve as co-chairperson” again is not universally applicable to all University Committees but is only applicable to those University Committees that deal with faculty issues and for which faculty have responsibility. This statement needs to be limited in scope to the University Committees to which it applies.

The last sentence of the paragraph, “When faculty representatives on the committee do not happen to include a Faculty Senator, then a Senator should be placed (ex-officio) on the University committee as a reporting senator to the Faculty Senate.” Again, this statement is only applicable to those University Committees that deal with faculty issues and responsibilities. The scope of this sentence needs to be defined and limited.

### **Faculty Senate Composition**

Two additional related issues need to be carefully considered by the Faculty Senate. The Faculty Senate Bylaws state that the faculty who are involved in the business of the Faculty Senate are full-time tenured and tenure-track faculty, clinical faculty, and research faculty. A representative of the Library is also included in the Faculty Senate Bylaws and on the Faculty Senate Committees.

1) The Faculty Senate is taking advantage of the Librarians by accepting their work for the Faculty Senate but not allowing them to have voting privileges. The Librarians are disenfranchised.

2) The clinical faculty, research faculty, and the librarians are all term faculty employees. In fact, the Librarians are classified as lecturers by the University Human Resource system. All

other lecturers, who are also term faculty employees, are being discriminated against, treated differently than their faculty colleagues by being denied representation on the Faculty Senate.

The Faculty Senates of both The University of Alabama and The University of Alabama at Birmingham are inclusive of all ranks of faculty and afford all of them voting privileges. The UA and UAB Faculty Senates are true voices of the faculty, not a selective voice like UAH's Faculty Senate. The Faculty Senate faculty compositions for UA and UAB are quoted from their Faculty Senate Constitutions below.

The University of Alabama Faculty Constitution states in **Article III. Apportionment of Senate Representation**

“Each division of the University, including colleges, schools, and the University Libraries, is represented in the Faculty Senate by one senator for each twenty persons, or fraction thereof, serving on the date of the election under a regular appointment as an instructor, assistant professor, associate professor, or professor engaged in teaching or research at least half of a normal load during the regular year, or a librarian having corresponding rank and professional engagement.”

The position of instructor at the University of Alabama is equivalent to UAH's position of lecturer.

The UAB Faculty Senate Constitution states in **Article I. Membership of the Faculty,**

“**I.1.** A faculty member, hereinafter referred to as faculty, is one who holds a primary academic appointment (as defined in the UAB Faculty Handbook 2.5.1) in one of the constituent units of the university. Only faculty may vote and hold offices as defined in this constitution.”

In Section 2.51 of the Faculty Handbook, primary faculty are defined as “The primary faculty appointment is usually in a department, or in its absence, a school, college, or UAB Libraries, through which a faculty member has a primary academic affiliation.” Provost Pam Benoit further explains that “individuals with "primary faculty appointments" as described in Section 2.5.1 of the Faculty Handbook are considered "faculty" for purposes of membership in the Faculty Senate. Therefore, non-tenure-earning faculty would be eligible, as would part-time "regular" faculty (very few of these).”

Moreover, the exclusion of lecturers from the UAH Faculty Senate is direct conflict with the stance that the Faculty Senate has taken on diversity and inclusion in **Senate Bill 405: Diversity and Inclusiveness**<sup>1</sup> where the Faculty Senate states

“**WHEREAS** the Faculty embrace diversity and the free exchange of ideas, especially in the campus arena, and

**WHEREAS** all individuals at UAH are afforded the rights and protections articulated in university policies and the university's Mission, Vision, and Core Values, and

**WHEREAS** the Faculty endorse inclusiveness,

**THEREFORE BE IT RESOLVED** that the Faculty re-affirm our commitment to the Core Values expressed in UAH's Mission Statement. We welcome the expression of ideas in non-violent forms and the free debate of topics, without undue regard to speaker backgrounds, including, but not necessarily limited to, race, religion, gender, or sexual orientation backgrounds, and

**BE IT FURTHER RESOLVED** that the Faculty affirm our commitment to lead efforts and initiatives that strive for inclusiveness and diversity, and...

**BE IT FURTHER RESOLVED** that, upon passage of this bill, that the Faculty Senate President report to the System's Board of Trustees that the UAH Faculty re-affirm the UAH Core Values, especially in regards to Inclusiveness and Diversity and the free expression of ideas in the campus arena.”

To authenticate the Faculty Senate's belief in its own statements on inclusiveness, then all full-time faculty members should be included in the Faculty Senate and be active participants in shared governance. The Faculty Senate's exclusion of lecturers and librarians as part of the voting body is in direct conflict with the Faculty Senate's own professed beliefs quoted above. We encourage the Faculty Senate to be the true “voice of the faculty” by including full-time faculty of all ranks in its voting body.

<sup>1</sup> UAH Faculty Senate Bill 405 “Diversity and Inclusiveness,” 3/23/17. Retrieved from <https://www.uah.edu/faculty-senate/current-business/bills>