
SENATE EXECUTIVE COMMITTEE MEETING

**November 14, 2013
12:45 P.M. in SKH 369**

Present: Richard Miller, Mitch Berbrier, Wai Mok, Phillip Bitzer, Carolyn Sanders, Timothy Newman, Charles Hickman, Fan Tseng, Deb Heikes, Debra Moriarity, James Blackmon

Guests: President Robert Altenkirch, Brent Wren

- Mitch Berbrier called meeting to order at 12:50 pm
- Report from President Robert Altenkirch
 - ❖ The Cross-Boundary Complaints Resolution was found. Rieder didn't have it. No one had it. Brent Wren had a copy of it. It is accepted.
 - Brent Wren: We will get it incorporated into the current version of the handbook that is posted and will re-post it with the new paragraph. Handbook revision in somewhere in the process and will get it in there too.
 - ❖ There are two things I am working on and needs to finish. One is the Handbook which I understand has to be reviewed by Charles Nash. The other is the BETA policy. I am working on integrating all of the comments and then it will come back to the Senate.
 - ❖ The Honors College. I sent an email about this this morning which appoints the committee; there are 13 people on it. A meeting with that group is set up for next week to kick it off.
 - Mitch Berbrier: Is that committee charged with just searching for a new dean or will it also deal with setting up the college?
 - President Altenkirch: No, just the dean. The infrastructure there is in place. There is a change in the leadership position. That position will sit at the Counsel of Deans. Also, it is a better marketing tool in the program in a more practical view. It's a tool to recruit and to raise money.
 - ❖ Working on the Science and Nursing Dean search committees. Either today or tomorrow I will send out invitations for people to serve on the 2 committees. On Science, Caron St. John will be the chair. On Nursing, Shankar Mahalingam will be the chair. There will be 11 people on each committee. The majority of the faculty comes from the college.
 - Deb Moriarity: Are there any department chairs on the College of Science committee?
 - President Altenkirch: Yes. There is one from the College of Science on the committee. Nursing is different since they don't have departments, but there is an Associate Dean or 2 on there.
 - ❖ HURON has essentially finished their work. Brent Wren, Ray Pinner and I met with them via conference call on November 13th.
 - Brent Wren: They will be here Thursday of next week to give their final report. They showed some nice dashboards that they developed for us to implement with our data.
 - President Altenkirch: They developed a set of dashboards that fed from banner so we can get up-to-date, real-time data.

- ❖ Madison Hall is moving along. The board approved the renovation of the bookstore in the University Center. That's where the Army will move. That is the first domino to fall. Mike Fennigan's group is in the process of soliciting architects for Madison Hall. They are selected based on qualifications. Once the architect is here, we will start programming to figure out who gets how much space and that will determine the size of the building.
- ❖ Electronic cigarettes. A question was raised about these allowed in buildings. There is no smoking in buildings. The issue is that if someone is smoking an electronic cigarette in a building, someone else thinks they can smoke in there so they start smoking a real cigarette. What do we do about that?
 - Deb Moriarity: There would be too much confusion and would have to check people.
 - Brent Wren: There is a problem with the water vapor, too. It can be offensive to some people. It has an odor.
 - Mitch Berbrier: Have any other institutions dealt with this that you know of?
 - President Altenkirch: No, not that I know of. I think Alabama A&M is going to a smoke-free campus. Auburn is, too.
 - Mitch Berbrier: It seems there wouldn't be much of a backlash if we just extend whatever rules we have to include these. Doesn't think there would be a problem with it.
 - President Altenkirch: Doesn't think anyone would object if we just extended the rules to include no electronic smoking in buildings.
 - Mitch Berbrier: It sounds good.
- ❖ Looking at the possibility of building an incubator facility for startup companies. It looks like in order to make that work, we need some capital on the front end. So looking at state money and federal money, and not taking on any debt for that building. Planning wise, it looks like it will be a 45,000 sq. ft. building. There is an incubator in town called Biztech. Its financial structure won't allow it to survive long. We would essentially absorb Biztech's business and go from there. It's probably a year away before we can do anything.
 - Deb Moriarity: Would we think about using that building?
 - President Altenkirch: No, it's not set up the way incubators run now. It's not a good facility for that. We would build a building from scratch.
 - Mitch Berbrier: How does that square with the mission of the University? How are university resources going to be used to advance that project? Are we using our academic resources? How does it integrate with us as a University?
 - President Altenkirch: It's basically to commercialize the output of the research activities that are commercialize-able. It would interact with the College of Business Administration, student projects. Most institutions that have the ability to generate intellectual property somehow have the ability to link up with an incubator. We are linked up with Biztech through the board but that's it.
 - Mitch Berbrier: What proportion of their business currently is involved with this University?
 - President Altenkirch: Not much. In order to figure out how these things work, it takes about 10 million dollars of research expenditure to generate a piece of intellectual property. So we spend around 100 million a year, so we can generate 10 pieces a year. Of those 10, about 1/3 are commercially viable. Of those third, half of them really work. Don't pump out a lot of start-up

companies per year. If take 45,000 sq. ft. building and put in 20-25 companies, probably 1 or 2 of them would be linked up with UAH.

- Brent Wren: Would that be the OTC group involved with that?
- President Altenkirch: Yes. I ran an incubator facility at NJIT that had 90 companies in it. Probably only 3 or 4 came from the university. The interesting thing about this location is there are a ton of intellectual properties sitting on the Arsenal because (1) the federal government doesn't push to commercialize it, they don't have a vehicle, and (2) the companies supporting the Arsenal are basically engineering services companies that jump from contract to contract so they just don't spend the time. So the concept would be you have to have somebody that would mine the intellectual property of the Arsenal and the companies, and then try to lure entrepreneurs here who want to have access to that. So it's different than just spending stuff out of the university. Have to work at uncovering some of that. But if we do that, we get a piece of it.
- ❖ Mitch Berbrier: Ray Vaughn indicated you might want to talk to us about the times for the interviews for provost.
 - President Altenkirch: Yes. I believe they are down to 7 people. Probably cut it down to 4 or 5. Looking at the calendar—realistically, couldn't get logistics to work until week of December 2nd. Then we have the week of December 9th, and then December 16th. It's possible, if there are 4 candidates, to put 1 the week of December 2nd (although Ray Vaughn will be out of town the 2nd through the 6th), 2 the week of the 9th and 1 the week of the 16th. The week of the 16th isn't ideal, but it's better than splitting it (doing some in December and some in January). There's at least one candidate that if we don't do something quickly, that candidate will go somewhere else. My recommendation would be to squeeze it all into December.
 - Mitch Berbrier: I think the concern here is part of what we are doing is selling the campus to the candidates, and December 3rd is last day of classes. So immediately after that, the campus will have a different feel from the usual. Certainly by end of the 2nd or 3rd week it will seem abandoned.
 - Richard Miller: I get those concerns, but it's a bit different for someone interviewing at the provost level than at the faculty level. So someone at this level understands the cycle.
 - Mitch Berbrier: Not saying they won't understand that's what's happening, but they won't get the "feel". Other concern is that this leaves a lot of faculty who want to be involved out. Especially towards the end of the semester. That needs to be weighed against getting it done as quickly as possible. I think that needs to be discussed.
 - Deb Moriarity: Mentioned one during the week of the 2nd. Is it their schedules?
 - President Altenkirch: No it's Ray Vaughn's schedule.
 - Deb Moriarity: 2 the week of the 2nd and 2 the week of the 9th is desirable. December 16th is after graduation.
 - President Altenkirch: I haven't checked with candidates so they might not be able to come either.
 - Tim Newman: Is earlier than that out of the question?
 - President Altenkirch: Yes, with thanksgiving holiday coming up.

- Carolyn Sanders: You don't want to lose great candidates, that's for sure. It's tricky, especially with candidates' schedules, getting them in before everyone is gone.
- President Altenkirch: Personally don't want to split them by a month and half.
- Mitch Berbrier: I think the choice should be to bring them all in in January or bring them all in in December.
- Deb Moriarity: If we can't get them prior to commencement, it might be best to have them at the beginning of spring.
- President Altenkirch: I understand that there's one candidate that the search firm said move quickly or...
- Mitch Berbrier: Yes, we were told that this candidate has other interviews and they think those interviews will take place in December. We had 7 candidates but after yesterday's meeting we probably have 5 that will try to contact before tomorrow.
- Richard Miller: Even for that person, do you get the feeling that they wouldn't come in for an interview if postponed to mid-January?
- Mitch Berbrier: Depends on them and how much time they have to respond. Not sure how that works.
- Tim Newman: Bob, what's your expectation? Let's say the last candidate is in and out on December 16th. What do you see the game after that? Will the committee meet again? Will you make a decision? Is a decision made immediately? How long will negotiations go on?
- Mitch Berbrier: The committee would probably meet and make recommendations right away. It wouldn't take very long, probably within a week.
- President Altenkirch: So I would think the committee would meet that week and give me 3 to 5 names in alphabetical order and I'll start negotiating.
- Tim Newman: Bob, what's your guess about the timeline of this?
- President Altenkirch: As far as getting someone to commit? I think the first week or so in January. When they arrive depends on other circumstances. My recommendation is to shoot for getting it in those three weeks. But based on candidate's schedule, we have to work with that too.
- Mitch Berbrier: It's not ideal, but if we have to choose.
- Carolyn Sanders: We had good luck in the Music Department being ahead of the game. It made a huge difference for us. So prefer December versus January.
- ❖ December 23rd is on a Monday. We are considering closing on that Monday. It will save us about 25 to 30 thousand dollars. By keeping things shutdown on the 23rd, we don't have to crank up at all so it saves us. We have the authority to make a closing like that on our own; we don't have to check with anyone.
 - Brent Wren: Nothing beyond that.
- ❖ Tim Newman" I have a question for Brent. Who can make changes to the published class schedule? Moving people off waiting lists, adding sections, closing sections?
 - Brent Wren: The Department Chairs have the responsibility for that.
- ❖ Deborah Heikes: Is there any chance of getting a printed student handbook catalog sometime in the future?
 - Brent Wren: We've talked about that in various contexts, but it's hard to update.
 - Deborah Heikes: A .pdf would even work.

- Brent Wren: There is an electronic version but that is hard to navigate sometimes. I'm not convinced the acalog hosting service is the right host for it. Catalog updates start in the spring. It will be put in a hard copy format and will be sent to each college for their perusal. Then will do the manual input once those are received.
- President Altenkirch: Is it set up in multiple lengths?
- Brent Wren: Yes.
- Deb Moriarity: One of the problems was when the program broke it up into sections, they broke it up in very odd ways and put them in the wrong places.
- Brent Wren: I don't know if we will ever go back to a printed version, but a more useful and navigation friendly electronic version in a .pdf form would be more helpful.
- President Altenkirch: Why isn't it in .pdf?
- Brent Wren: Before I was in office, the decision was made to go to an electronic version. They chose this company to be our hosting software, but it's just not very friendly. Execution is the problem. Been talking for about a year to go to another host or another version.
- President Altenkirch: Why don't we ask iFactory about that?
- Deborah Heikes: Searchable .pdfs would solve a lot of problems.
- ❖ Web design committee, iFactory group, is in the artistic design mode. There is a meeting next week about that on Monday at 3:00pm.
 - Deb Moriarity: And there will be a town meeting with them.
 - President Altenkirch: The designs they've come up with are clean, not cluttered. We will have a mobile site and the main site will scale to the mobile site.

➤ Officer and Committee Reports:

President Mitch Berbrier - none

President-Elect Wai Mok - none

Past-President Richard Miller - none

Ombudsperson Deborah Heikes - none

Parliamentarian Tim Newman – Both items are under discussion.

Governance and Operations, Phillip Bitzer – Still breaking through the restructuring of the committees. Four are ready to go and their tasks are ready to be put into a bill. We will work on the last 2 and submit it all as a whole.

Personnel, Carolyn Sanders – I was elected new chair last night. Our first immediate task will be to draft a resolution about tenure upon hire issue.

Undergraduate Curriculum, Deb Moriarity - none

Finances and Resources, Charles Hickman - absent

Undergraduate Scholastic Affairs, James Blackmon – We have 2 requests for student bankruptcy. We are considering them.

Faculty and Student Development, Fan Tseng – We are still working on the lecturer ladder, it's in the second draft. We talked with the library. Bob proposed a ladder for lecturers. The library has an idea of clinical positions. So it looks to us to be difficult to merge the 2.

- Richard Miller: There should be no controversy. I have a memo from the previous provost in which the agreement was that some fraction of the library staff would be given positions equivalent to clinical faculty status. So there should be little controversy about this. [Will send document to Fan Tseng.]

- Mitch Berbrier: Would it be in our official documents?
- Richard Miller: It should be. The memo was also provided to them.
- Fan Tseng: That's great. This gives us a link from the lecturer ladder to the clinical for the library in the past.
- Mitch Berbrier: I'm not sure how President Altenkirch will feel about having 2 separate ladders. He might like it or dislike it, but we will present it to him.
- Deb Moriarity: So will clinical faculty in other areas be under the same idea?
- Fan Tseng: No.
- Tim Newman: Has your committee considered the idea of a designation of library faculty? Some universities have that.
- Richard Miller: That was the idea in the conversation.
- Fan Tseng: Right, so the idea is to separate into 2. So the faculty has a different ladder than the library.
- Richard Miller: The reason that we called it clinical was because at this particular campus, they've never invoked "Library Faculty". However, that title "Library Faculty" is valid within the UA system. I don't know the steps, if any, to take to change the title. I think that was the point – there were no formal steps that needed to be taken; it just had never been used here and that was the discussion
- Fan Tseng: Or it might have been taken away at some point.
- Mitch Berbrier: Other issue mentioned is of getting the library representation of some sort on the Faculty Senate. Is that an amendment to the by-laws?
- Tim Newman: An advantage of using the designation clinical faculty, for at least some of them, is if they have 4 clinical faculty, then they have a representative on the senate. So from the beginning of this, I thought that was a good solution given our current structure is to just name some of the librarians as clinical faculty. Some of them have a terminal degree anyways. If this is the case, then they have representation on the Senate. We would need to amend our by-laws if we have "Library Faculty". If someone doesn't like clinical title, but I don't understand where the objection might be for that, although I got the impression from the former provost that he thought some or all over in the library should not be clinical faculty (don't know why or his reason but that was what was communicated to me—clinical was not suitable for him) then we could amend our by-laws to add "Library Faculty".
- Fan Tseng: What I understand is that now they only have 3 or 4 library faculty members. If 3 then they are going to have a representative.
- Richard Miller: The other solution is that while they may not have a voting representative on the senate, we would invite them to have a speaking and ex-officio member who can't vote but can participate and debate.
- Deborah Heikes: With the handbook going through the system, should we include all of the language of the Library back in it if they might get a representative? Because we took all that out. And it seems now would be time to put back in, even if they don't have a sufficient number of people, but because they might have a sufficient number of people.
- Mitch Berbrier: It depends on how it goes with the designation. If we follow Tim's logic, if designation is equivalent to faculty, then why change?
- Tim Newman: The reason to change is because we have this list of colleges in by-laws. We took the Library out because well they aren't a college, and they don't have a dean anymore.

- Deborah Heikes: We could insert that in a diff way. It's not anywhere in the faculty handbook right now.
 - Tim Newman: Correct, not in one that has been approved.
 - Mitch Berbrier: We can't amend the one that we've already sent in now because we don't have it.
 - Deborah Heikes: Well we can amend it when it comes back.
 - Mitch Berbrier: It will come back to us before process is over because they will send it back to us when Nash is finished.
 - Richard Miller: I think it's a good argument in the conversation that some fraction, if not all of the Lib staff, should have a faculty level designation so they can participate in the shared governance of the university.
 - Mitch Berbrier: It sounds to me like the handbook hasn't gotten past Rieder, and it certainly hasn't gotten to Nash. Does the library faculty/staff want to wait that long? Maybe we should go ahead and amend the current one.
 - Deborah Heikes: Well we are under the current by-laws now, which includes the library.
 - Mitch Berbrier: That was never changed.
 - Deborah Heikes: We just changed it in the revision.
 - Richard Miller: Well they have no faculty now anyways so the point is moot because they have no representation.
 - Mitch Berbrier: So then we do have to change it.
 - Deborah Heikes: Currently they have representation if they have faculty and if they have a sufficient number of people. Those conditions haven't been met. In the new handbook, there is no provision for library representation.
 - Mitch Berbrier: Tseng, maybe you can go back to them and ask how many they have who will be faculty. If you know that for sure it's 4 then we can let it go, but if there are only going to be 3 of them then we can give them some observer status.
 - Fan Tseng: They have 3 this year, but they will have 4 next year.
 - Mitch Berbrier: Let's just wait then because by the time we get it through the process they'll have 4. So they're hiring somebody in January?
 - Fan Tseng: Yes, but they are all lecturers. Is that a problem under the current faculty handbook?
 - Tim Newman: Lecturers don't have representation. They need to be clinical faculty members.
 - Mitch Berbrier: There's no need in changing our handbook now if by next year they will have representation. Will need to change the second handbook.
 - Fan Tseng: This is why we decided to separate the issues.
- Bill 373 - First Reading
- Tim Newman: I think that this bill is in conflict with our by-laws. Our by-laws say already "University standing committees consist of members of the faculty and members of administration/staff. Unless otherwise stated, faculty members shall be selected by (but not necessarily from) the Faculty Senate and shall at least equal in number administration/staff representation on each committee" (V.A.). Then we go on and in V.D., we list university committees that we conduct elections for. This bill says we won't do elections for any new university-level committees which seems to me in conflict with our by-laws which say Faculty Senate directly appoints. So if the intention of the bill is to change our by-laws, the bill must be proposed with change in by-law language, or I would argue it is out of order and we can't consider it. In addition, I am wondering if the

intention of bill was for hiring committees. Those would be ad-hoc committees. If that's the case, it's not in conflict with our by-laws, but the language needs to be changed to say it is a hiring comm. So there's a problem with the current language.

- Deb Moriarity: Would it be just hiring or any ad hoc?
- Tim Newman: I don't know what the intention is.
- Mitch Berbrier: This is a revision of a bill passed last year.
- Richard Miller: Yes, but the revision is much more significant than anticipated. The difference between this bill and the last bill, and why I don't think it was in conflict with the by-laws before, is because it was very clear that the selections to those committees were made by the senate. That is no longer the case with this current bill. I think, not only for reasons Tim mentioned, but for sovereignty of operations of the senate, there are some serious problems with this bill. It is in the section about giving a slate of potential members to the president. With no offense to the president at all, it is our purview to select Faculty Senate, i.e. faculty representatives, onto committees. It is not the administration's. It could have serious unintentional consequences with the operations of the senate and our ability to serve our faculty in the best way.
- Tim Newman: My motion is to send this to a committee, I would like to send it back to Governance and Operations, for revision. I agree with everything Rich just said. The bill has to be made harmonious with our by-laws or the bill needs to be brought forth with language to change our by-laws. [Re-read the by-law section].
- Mitch Berbrier: So the University Standing Committees as opposed to ad hoc committees. So what are the University Standing Committees?
- Tim Newman -there are 14 committees listed in our handbook [Read the 14 committees listed under V.D.].
- Mitch Berbrier: As far as I know, at least while I've been President, I've never been asked for a slate of nominees.
- Tim Newman: You will get one in February or March.
- Mitch Berbrier: This bill was meant for all these other ad-hoc committees.
- Richard Miller: It was.
- Tim Newman: So the language needs to be changed to reflect that.
- Mitch Berbrier: Can't we just change the language?
- Time Newman: No we can't. The way the by-laws are written, the Executive Committee is in some ways the weakest committee of the Faculty Senate. So our options are to put the bill on the agenda for Faculty Senate, if we vote to do that I will just raise my objections again that it is out of order. Or we can send it to a commit for revision. That's all we can do with a bill. It's unfortunate because we don't have the power to change the language.
- Richard Miller: You could vote to send it to the full senate and it could be amended there.
- Mitch Berbrier: I think that would be more efficient. We can send it to the full senate with understanding that you will raise this objection and then we can just change the wording then.
- Tim Newman: I think if the intention is to change our by-laws, we need the language to change our by-laws. If the intention is not to change our by-laws, then the language has to be changed that's there so that it's more specific. The bill is exceptionally vague.
- Mitch Berbrier: I think that needs to be worked out in the senate.
- Tim Newman: Please don't do that. In the past, bills were passed in the senate with the intention of changing our by-laws but they weren't written in a way that said exactly

how the by-laws were changed and so there was a governing situation. That has caused conflicting laws between by-laws and bills.

- Mitch Berbrier: Since we are thinking the wording needs to be changed that does not conflict with the by-laws, there are concerns that somehow that won't happen if send it to the full senate?
- Tim Newman: Personally I don't think it's ready to go to the full senate. If we have a bill that isn't ready to go to the Senate, we should send it to a committee and let the committee fix it up.
- Deborah Heikes: What is this doing? What is the point?
- Richard Miller: I wrote it last year and it was recently rejected by Bob. The idea is the following: in the dark days, and to empower the faculty, the idea was to designate faculty representation as coming from the representative body of the faculty, which is the senate, so that the usual members who are in favor of the administration aren't on all of the committees and policies get pushed through without them being review appropriately by faculty representatives. By state law, the senate is the representative of the faculty at the university and therefore, faculty representation comes from senate. That doesn't mean they have to be senator, but that they are a faculty senate designated representative and that is faculty representation. That doesn't preclude the Provost, President, Dean, etc. from having other faculty on the committee, but that faculty representation is senate designated.
- Mitch Berbrier: It has been rejected by the president.
- Phillip Bitzer: I don't know if this bill addresses the standing committees at all. "Let it now therefore be resolved, when University level committees are initiated by the administration". I read that as ad-hoc committees.
- Tim Newman: So I think the issue is our by-laws have this phrase "University standing committee" because the Faculty Handbook refers to 2 classes of university committees. In our language, the 2 committees' names we have are University Standing Committees and Ad Hoc Committees. So Ad Hoc Committees doesn't have the word "university" in it. So as I look at the language in this bill, it looks closest to this term University Standing Committee.
- Wai Mok: Can we make it more specific to say University level committees except or specified in the by-laws?
- Tim Newman: That would help, yes.
- Mitch Berbrier: So the question is whether we need to or where we send this back to Governance and Operations or move forward to the Senate?
- Deborah Heikes: IT sounds like we send it back because there's more than one problem. Handling that on the senate floor will be a mess.
- Mitch Berbrier: The other part of this is that the bill was passed last year in the senate, but then rejected by the President. So I talked to President Altenkirch, and he said he had problems with wording and felt it was too constraining on him. So we talked about it and the question was, we had a rejected bill, could we get something that could give us more protection? I wrote this and he looked at it and we changed some words and then sent it over to Governance and Operations. They changed a few words, but not many.
- Phillip Bitzer: We made very little changes.
- Mitch Berbrier: So at that point now, the idea is we don't want to reinsert the constraints from the prior bill that he is going to reject no matter what so we are back

where we started, but we don't want to give away too much either. I know he's not going to accept it with the constraints it had before.

- Tim Newman: Mitch, when you had that conversation with him, was the objection on hiring committees?
- Mitch Berbrier: No, no objection for any committees. The objection was primarily what Rich would like us to have which is that we say who the two people will be. He wanted the wording clarified that he would be able to appoint other faculty in addition to those 2. It's there but he wants clarification.
- Richard Miller: Why did he interpret it as a constraint? Because it didn't constrain him from appointing other people even though they're faculty, they just weren't faculty representatives.
- Mitch Berbrier: I don't remember if I asked him directly why, if I gave him two names he couldn't do that. He just thought it was too constraining and he wasn't going to accept it.
- Tim Newman: I haven't always been convinced that all of our administrators have read all of our governing documents. But I wonder if it might be productive to bring forward Section 5 of our by-laws. Our by-laws are incorporated into the Faculty Handbook and they require board approval. So our board has approved the notion that there are at least 14 University committees that should have at least half of their members as faculty and every single one of those totally appointed by the senate with no veto by anybody else.
- Mitch Berbrier: And do they?
- Tim Newman: Yes.
- Mitch Berbrier: So what is the problem?
- Tim Newman: So the question is to ask the president that the board has approved the university committees, so why can't he approve the ad hoc committees? What is their difference? It might be a good point to negotiate.
- Richard Miller: It's a Passover question—why is this committee any different from University committees?
- Tim Newman: I have some sympathy for administrators saying on a hiring committee, I want to make sure I have a good cross section of the University and if the Senate has an election and they elect 5 people from Department X, Y, Z and that's it. That's probably not a good cross-section of the University. That's why I asked that question beforehand. SO I think I would be willing to give in on a hiring committee.
- Richard Miller: It should also be clear, on a hiring committee, there is not necessarily a requirement for them to ask for a representative from the Faculty Senate. I think they should, but there's no requirement. This was intended to do is say in a case like that, they can't claim there was faculty representation because you circumvented it. Looking at it in a positive way, and what I am trying to advocate is that we are trying to empower faculty to participate in shared governance and have a role in the operation and the future of this university and they do that thru senate and you help empower them.
- Mitch Berbrier: I think his intention is to include the Faculty Senate. He is in favor of legislation that binds future presidents or administrators to that. So he's okay with that idea. He's not comfortable with being given two names for two slots. I think that the logic he would use is the same Tim used for hiring committees. So if we said these 4 are the folks and he's already got the same type of people on the committee...

- Deborah Heikes: But he could take these people and choose from others. I understand where this bill came from, we don't want the same people on every committee. So we want to be able to say no you have to choose among these people here and then you can choose who you want.
- Mitch Berbrier: I misrepresented his position. He will take those four people. He can't come back and say those people are too oppositional. But he has to choose 2 of those 4.
- Richard Miller: Why is it any administrator's job, whether acting in good faith or bad faith, to dictate to the senate who our representatives should be?
- Mitch Berbrier: It isn't dictating to say here are 4 and he picks 2. I don't think that's totally unreasonable. If he were to say give me 40 names and I'll pick 1, that is.
- Richard Miller : But by definition in asking for 4 names when there's 1 slot, there's some decision making process involved to prefer one over the other. I understand why, but philosophically, I have a problem with that because it interferes with the operational sovereignty of the Faculty Senate.
- Mitch Berbrier: I understand your objection and point. But my point is more practical. It's either we get this or nothing because he is just going to reject again if we say we provide the names. So let's just stop now and not send it back to the committee because we will get the same bill.
- Carolyn Sanders: Was it clear to him that faculty beyond those appointed on Faculty Senate could be on the committee?
- Mitch Berbrier: That was part of the discussion.
- Carolyn Sanders: So I wonder if that would that make any difference, if that was made very clear? I agree with Rich. We are selecting, but not really.
- Mitch Berbrier: Well it's a question between the perfect and the good. Either we get the good or we get nothing.
- Carolyn Sanders: Would it make any difference if it was made very clear?
- Mitch Berbrier: We had a two track discussion. One was the question of us getting him the names, and the other was question about clarifying the language about whether he had additional faculty outside the senate. He wants both of those. One was already there, he didn't like the way it was worded, but the other wasn't there at all. So it is a matter of if we as a group decide we can't accept anything less than 100 % of what we want for good reasons, perhaps, then we will get nothing of what we want.
- Phillip Bitzer: We as a group can't decide that. Either the committee we send it to or the senate decides.
- Deborah Heikes: The bill has already been rejected, so we need to work on it for it to be accepted. No problem with the choice as long as we get to decide who the president gets to choose among. I'm wondering if another way to make the argument is to explain the legitimacy of certain committees may be questioned because of our past history if the senate doesn't have some say. It may be that if this is rejected outright, then the faculty continues to be suspicious of the administration because they can have the committees however they want them.
- Fan Tseng: Mitch, in your discussion with president, did you consider the size of the committees?
- Mitch Berbrier: No that is something that needs to be changed.
- Fan Tseng: There's a big gap between 50% and 1 out of however many.
- Mitch Berbrier: It's not so much the portion of the committee itself, but the proportion of how many names we can suggest. It's pointless if he wants us to give him 10 names for 1 person.

- Wai Mok: Why don't we use the search committee team for the Honors College as an example? I submitted 4 names, and then 3, and he chose. How do you guys like this selection process?
- Carolyn Sanders: I don't like it.
- Richard Miller: I appreciate the transparency with which that was being done, but I personally have a philosophical problem with giving a slate to any administrator and then have them select. Because there may be a very good reason why I selected certain people.
- Deborah Heikes: But we don't have that option because that was rejected.
- Mitch Berbrier: Either we send him back something or we don't.
- Deborah Heikes: We could put a limit on the slate.
- Mitch Berbrier: I would like to suggest that we follow Tim's recommendation and send it back to the Governance and Operations committee with specific requests.
- Phillip Bitzer: This is what I have: specifically note that it's ad hoc, so not touching our standing committees, add a percentage or some sort of count of nominees relative to the size of the committee, and the size of slate relative to it.
- Mitch Berbrier: Objection to nominees relative to the size of the committee because the size is dependent on the president. I want to make sure there's senate rep on each committee, and would like there to be at least 2 representatives. With the wording "at least two" from the faculty list. That's where proportion comes in. If wants x amount, he can't ask for more than y.
- Deborah Heikes: I have to leave but I'm willing to say let's send RCEU to the senate floor and let them figure it out.

➤ RCEU:

- Mitch Berbrier: There are a few issues here. Questions: (1) Whether we can make the interpretation that this resolution that was dug up, 04/05-01, excludes the participation of research faculty and staff on RCEU or simply means that faculty must be included at very least. (2) Even if we agree that it excludes, would the admin agree with that interpretation? (3) If we either agree research staff are not excluded or that administration would interpret it to not exclude them, what do we do next? Ultimately the administration is going to interpret as not excluding the research staff if it went to that level, whether we agree or not. Then we are back to the original question - what do we do? Do we stand on some principle and say no to the VPR to the money. At this point in time, Charles is pretty sure that if we drag this out much longer, won't have an RCEU. So if we say no, and create a new bill that changes the wording, by the time it goes thru the process, we might not have any RCEU at all.
- Wai Mok: I forwarded his email to everyone before the meeting.
- Phillip Bitzer read his email: "I think we should try for a year as Ray suggested and then revisit. As long as we have control over the selection process, we can pretty much make sure that all is fulfilled what we want it to stand for. That gave me confidence that we shouldn't run into too many problems. For now I agree if things deteriorate, say we get 100 applications from the censors and they don't do what we expect, I would fight, but not now. Just take the money and run."
- Mitch Berbrier: My view is that there is far more risk to rejecting the money than to include research staff in this program. The risk is that students and faculty do not have these opportunities and the other risk is that our relationship with the VPR is damaged

- because rightly or wrongly, he will see the Faculty Senate as being unreasonable to a modest request, whether we have been or not.
- Tim Newman: I think it's not correct to say the program will go away. 60% of funding is not contingent at all on research staff; it comes from the provost office. 40% comes from VPR and only that part of the money has the strings on it. So the program isn't dependent on VPR. There are prospects for some funds to replace the VPR money. I would be cautious about saying our relationship with the VPR would be damaged. He probably doesn't care if this program stays or goes. I think that if he did have the opinion that we were being unreasonable because he set the ultimatum.
 - Mitch Berbrier: He's not going to think that way, though.
 - Richard Miller: I can't say what Ray would do, and don't want to butt heads, but if there is a threat of the research office not supporting an RCEU program, we have bigger problems. Based on this previous bill and the conversations, this is a trivial solution. I don't understand why it's risen to this level. The solution has precedence. We implemented it last year based on exactly the same conversation. The solution was trivial and accomplishes the goals laid out and simultaneously maintains the scholarly and research of the university involving faculty. That trivial solution is if there is research staff member proposal, which does not include research faculty, the only thing we asked for last year is that there be a co-mentor who is a faculty member. It's trivial and I don't understand why heels are being dug in to remove that. It brings parts of the university together.
 - Mitch Berbrier: Ray's answer to that question was that the research staff have PhDs. This distinction makes a distinction between their PhDs and other PhDs.
 - Richard Miller: But there is a distinction.
 - Mitch Berbrier: He doesn't see it that way. His reasoning is that he wants to bring the research, staff faculty, and the academics together. He sees this is as one small part of doing that. His argument is by saying that the research staff needs a faculty mentor, or something in that way that they need someone to guide them along, is making a distinction btw their credentials and faculty credentials. It's detrimental to the broader mission of the university. He's saying we can have the money and go with him or not.
 - Wai Mok: Last year, there was no strain put on us to back out or choose the money. We suggested last year that research must partner with faculty members and there was no strain.
 - Richard Miller: There is a precedent. Exactly, so why this year? There is a broader picture here. Nationwide, there are efforts to replace tenured and tenure track faculty with part-timers and lecturers. There are efforts to outsource a lot of the things that universities traditionally do. Empowering transient research staff to do research but to train and mentor and set scholarly direction of the university is contrary to university's mission. It doesn't mean they can't have a roll in that, but all we are just asking is that they couple with the people who have made commits and gone thru the steps to get promoted and tenure. If the faculty senate isn't willing to stand up for those principles, I think we have a problem.
 - Deb Moriarity: I came into this after last year's discussion. So I had to trace the concern. I know that with the previous administration and more so with this administration, their goal is to try to have the faculty and the research entity more closely aligned, or provide more opportunities for that alignment.
 - Richard Miller: My solution will do that more so than the research staff getting a student and being isolated.

- Mitch Berbrier: We tried to make that exact argument but it didn't work.
- Deb Moriarity: So I'm still trying to see where everyone is coming from. I can see his side, especially someone who is permanent research staff, but having a research staff who is post-doc and is in training is different. That is different than someone who has been here and has been successful and productive for a long time. Maybe a clearer distinction would work better.
- Carolyn Sanders: Would he go along with that distinction?
- Mitch Berbrier: Is there a middle ground? I don't know what it would be.
- Wai Mok: Maybe post-doc should be excluded?
- Richard Miller: It was said that I'm drawing a distinction between PhDs of research staff and PhDs of faculty. I'm not distinguishing their PhDs, but their role at the university, I do think that there is, at the university, a distinction between faculty PhD and research staff PhD. That doesn't mean research staff aren't valuable, important, or critical, and it doesn't mean all research staff would be bad mentors.
- Mitch Berbrier: I don't know what to do with that though. He's already said he doesn't want that distinction because he doesn't agree with it.
- Mitch Berbrier: I don't think you're asking for something crazy and unreasonable, but he does. We tried to discuss this.
- Wai Mok: If he says do this as a trial this year, we should. There probably won't be too many research staff apply.
- Mitch Berbrier: According to Charles, there haven't been in the past. Can we vote on where we stand? Whether to move this to the senate floor?
- Richard Miller: There are a number of other funding opportunities at the university, what we used to call mini grants. Those are handled differently. This is the one we've held onto. We've either held onto it for a reason, I don't know. There is a larger question of do you want to give it up, or do you want to restructure it and use the other funding efforts?
- Mitch Berbrier: Let's vote whether to move to discussion at full senate. Tim, can we voice an opinion there is it isn't a bill?
- Tim Newman: You can vote on things, but the mechanism for senate action is a resolution.
- Mitch Berbrier: But not everything requires a resolution. What about senate advisory?
- Tim Newman: It's supposed to be in resolution writing. Certain things don't, but this type of stuff does.
- Richard Miller: You can get input from people.
- Tim Newman: "All business shall be submitted in the form of resolutions which state clearly and in detail the actions to be taken and the agencies intended to take the actions. Items which do not conform to this format should be returned to their originators."
- Deb Moriarity: It's probably to make sure you don't get bogged down in discussion or with no idea of direction.
- Mitch Berbrier: I would like input and advice from the table.
- Deb Moriarity: I think we should, this year, tell the VPR we want to work with him on that and use the money, so take the money. See how things work out, with idea that we may need to clarify which research staff are eligible, the idea being that post docs who are in training would not be eligible, someone who is actually in training themselves.

- Richard Miller: I think for the sake of the university, and bringing research and academics together, if a research staff member wants to mentor a student, that should be encouraged, but there needs to be a faculty co-mentor.
 - Tim Newman: I think we should go to the president and ask if he will fund the full program.
 - Wai Mok: I agree with Deb Moriarity.
 - Fan Tseng: I agree with Rich Miller. It's a principle. For this year, needs further discussion on this to put a faculty mentor into the proposal.
 - James Blackmon: Research titles can change. If it's worth doing, it's worth doing wrong a few times. If it doesn't work, then we have data to make a change. I understand the philosophical aspect of the university and have great respect for it. I would take the money and see how it works, and work with the student, and when they make the awards, clarify it's important they work with the student because that's why we are doing this.
 - Phillip Bitzer: Accept the money this year. I trust our committee to make the decision on whether or not the mentor who is awarded can do a good job or not. We still have that control.
- James Blackmon – A student got a letter for provisional acceptance to graduate school here. The tone of the letter, and you realize the only provision is that he doesn't have a UAH transcript, compared to a letter received from another graduate school is night and day.
- Deb Moriarity: It comes from the graduate Dean. It's a form letter.
 - James Blackmon: There's nothing positive about it. It runs counter to at least one other school which is enthusiastic about the acceptance.
 - Deb Moriarity: Talk to Dave Berkowitz about it and let him know what happened. One of the problems is staffing for the graduate office is so minimal so there's a standard letter that goes out. Trying to personalize it is difficult.
 - James Blackmon: Don't need to go so far as to personalize it, but we have an example from another college.
 - Tim Newman: The graduate school has now established a new form letter for graduate assistanceship offers. There was one point on it that we thought might not sit right with the students. So we called Berkowitz and explained and he asked for some revised language. I gave hi some and the next day he instituted it. He will listen to you.
 - Mitch Berbrier: HURON results from their investigation prove that customer service here is horrible. The business of not being welcoming is endemic to the institution.
 - Deb Moriarity: Talk to Dave and make sure the department is in touch with graduate studies and knows the status of these students and sends their own letter.
- Meeting adjourned at 2:40 pm.