

# FACULTY SENATE

## AGENDA

**FACULTY SENATE MEETING #542  
THURSDAY, NOVEMBER, 21 2013- 12:45 PM to 2:15 PM  
SHELBY CENTER ROOM 107**

- 0. Call to Order**
- 1. Approval of Minutes of Meeting #541**
- 2. Administration Reports**
- 3. Acceptance of Faculty Senate Executive Committee Report, Nov. 14, 2013**
- 4. Reports**
  - Senate Officer Reports
  - Senate Committee Reports
  - University Committees
    - Huron – first impression of their Nov 21 a.m. report
    - Provost -- \*\* Discuss upcoming candidate visits \*\*
    - Signage
    - Others?
- 5. New Business, Inquiries, Announcements**
- 6. 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 KALA BURSON: [facsen@uah.edu](mailto:facsen@uah.edu)

---

**FACULTY SENATE MEETING # 541**

**October 24, 2013**

**12:45 P.M. in SC 107**

**Present:** *Wai Mok, Fan Tseng, Chris Allport, Charles Hickman, Dan Sherman, Keith Jones, Pavica Sheldon, Derrick Smith, Joe Conway, Joe Taylor, Linda Maier, Christine Sears, Carolyn Sanders, Nick Jones, Andree Reeves, Eric Seemann, Bhavani Sitaraman, Mitch Berbrier, James Swain, Kader Frendi, Jeff Evans, Ellise Adams, Kristen Herrin, Anna Benton, Marlena Primeau, Peggy Hays, Phillip Bitzer, Luciano Matzkin, Carmen Scholz, Tim Newman, Richard Miller, Lingze Duan, Nikolai Pogorelov*

**Absent with proxy:** *Debra Moriarity*

**Absent without proxy:** *Deborah Heikes, Ying-Cheng Lin, Junpeng Guo, James Blackmon, James Baird, Craig Cowan, Leonard Choup*

**Guests:** *Robert Altenkirch, Brent Wren*

- Senate Meeting Number 541 was **called to order** at 12:45 p.m. by Dr. Mitch Berbrier, Faculty Senate President.
- Asks for motion to suspend the rules until after administration presentations. Charles Hickman motions. Wai Mok seconds. *Ayes carried the motion.*
- President Robert Altenkirch
  1. Growing enrollment has had a lot of work. Freshmen class went up but total enrollment did not. HURON, a consulting group brought in to make analyses and recommendations to UAH, were here October 16<sup>th</sup> and gave preliminary final presentation to President Altenkirch, Brent Wren, and Ray Pinner. HURON will be back on October 29<sup>th</sup>. They will give UAH their analyses and recommendations by end of this month and UAH will look at what to implement. Some of them are already being implemented.
    - a. **Redesigning recruiting events**, particularly the materials that are used – videos, PowerPoints, etc. There's now one comprehensive presentation. For example, there was almost no discussion of housing in a recruiting event last year; there is now.
    - b. **Redesigned a campus tour**. First thing when someone comes for a tour is to watch a video which will prepare them. A lot of students speaking in it. Then the prospective student will take a tour. Tour script is being revised. Also working on individualized tours. Prospective student can go onto website and submit what they want to tour specifically, then will come to UAH and see only those things.
    - c. **Moved orientation** from Admissions (folks trying to get students into UAH) to Student Life (folks who deal with students while they're at UAH). Orientations are much livelier than they used to be.
    - d. **Graduate School**, Dave Berkowitz – charged to look more outwardly rather than inwardly. Moved around Research Park and Redstone Arsenal and talked to CEOs and

HR people at companies to find out what they would like to see. We then try to match those offerings, or alter to match them.

- e. One of their strong recommendations is to **consolidate all of the student services** in one place. Have a one stop for prospective students, visitors, and parents. Madison Hall comes into play here.
2. **GER Committee.** Dr. Wren involved and Dr. Word leading. Concept is to streamline the general education requirements and make it easier for student to transfer, or when student is here, make it less difficult to change majors. The overall amount of general education requirements won't change, just the way it's structured. Hopefully will have GenEd revision done by next August for the fall semester.
3. **Website redesign** is moving along. iFactory has worked on the architecture of the site, putting together links that will show up and what is under links to make navigation easy. UAH has over 100,000 webpages, but only 600 looked at more than 1,000 times. So don't need that many webpages. A high percentage of hits on the site come from a mobile device. Statistics show that the frequency of hits from a mobile device here is much higher than average, so it's important that the mobile device site works. This company designs sites in components; they are just organized differently on mobile site than on PC site. Look at Yale School of Engineering and Applied Science for an example. Same architecture/structure for our mobile site. Website launched next August.
4. **Provost search** should be finished in December. There are airport interviews next week. Then bring recommendations of handful of people back to campus before end of semester.
5. Continue to implement the **Retirement Option Plan**. 32 people signed up. Have deployed 8 positions. Some are for curricular needs and some are in strategic areas.
6. **Roberts Hall:** 3<sup>rd</sup> floor renovated for Department of Education to move. Renovation of **Recital Hall** is underway.
7. **Campus signage group** working on redesigning campus signage. A lot of the signs are faded, the way finding signs are not that good, so we want to improve that.
8. Construction projects. All of these are on track.
  - a. The **Nursing building** is on track.
  - b. **Campus greenway** – parking lot in front of the library is closed. Some of it has shifted towards Nursing, across from Spragins. Parking space statistics after making this change: added 3 handicap spots, so now there are 9. Lost 7 spots overall. The lot that's next to the parking deck that's being used for prep site for construction will open back up and give a total of gaining 76 spots before the library lot was closed. So not losing parking, it's just shifting.
  - c. **Charger Union** is on track. Regina Hyatt says they will start moving in on November 16<sup>th</sup> and finish it in January.
  - d. **The Rise School** is finished. It's behind Olin B. King Technology Hall. There are 3 portable buildings with a playground and a tricycle racetrack. The Rise School is a school for developmentally challenged preschoolers. The idea is to mainstream them so when they leave the preschool, they are no longer special needs children. Linking them up with Department of Education and Nursing.
9. Projects that are underway or are about to be underway.
  - a. **Madison Hall:** depopulate it, tear it down, and rebuild it. It will be the visitor center, all student facing services, and administrative offices. If carried out within timetable, will begin January 16. If tear it down, first thing we have to do is vacate it, and therefore we need a place to put people. The move from University Center to Charger Union begins to presents an opportunity to do this. These buildings are in play with the vacation:

Nursing, Charger Union, SKH, UC, Wilson Hall. Idea is there will be movements in and out of all of the above buildings. Want to minimize the number of double moves. Also want to minimize each individual renovation cost because anything over \$750,000 has to go to the board and it slows it down. The number of double moves is down to a very small number. University Center is going to transition into a training and conferencing center. Maintaining Food Service and Professional and Continuing Studies will move into the University Center. The first move that allows the Madison Hall project to move forward is to move the Army out of Madison Hall and into the bookstore area in the University Center. The Army likes it. It's out of the way. We will build an entrance for them on the backside of the building so traffic of Army Personnel in and out of front door will be minimal. The bookstore area will be renovated for the Army to move there from the 3<sup>rd</sup> floor of Madison Hall. The Army will help with the cost. It is more than \$750,000 so it has to go to the board in November for first phase of approval. Because Professional and Continuing Studies will move out of Wilson Hall, this opens up more classroom space and some office space. Plan is to relocate 2 health clinics on the 3<sup>rd</sup> floor which is the simulated hospital. Very minimal renovation to make this happen. There will be 2 separate entrances and 2 separate waiting rooms, but the staff can share some of the equipment and facilities. Madison Hall would contain all of the student services and administrative offices. Shelbie King will remain administrative offices, and some administrative offices in Madison will move to Shelbie King. Nursing will move from Wilson into Nursing. This will cascade when Charger Union opens up and we can begin to process moving some people temporarily to University Center for a short time. A summary of all of the moves is in the Executive Committee Meeting Minutes as an Appendix. So if looking at spreadsheet, the highlighted areas have to move twice. Tried to minimize that. The idea is when you come in the circle off of Sparkman, half-way around the circle you will be looking right at visitor's center, student services, etc. By tearing it down, we get to fix the architecture. It's also cheaper to tear down and rebuild than it would be to renovate.

- b. **University Drive Entrance.** This will probably go to the board for approval in February. It's the same architecture as the Sparkman entranceway, just not as elaborate. It's set back from the street. There are light poles that are under the jurisdiction of the federal government because it's a federal highway. Then there are the utility poles which are under the jurisdiction of the city. The entranceway is unsightly with the poles so we've been working with federal government (the USDOT) to move the lights to the other side of street, because have to have those. It's possible to bury the lines that are on the poles, it's inexpensive, but it takes time to get this to happen. We are planning to move the brick sign closer to the street. There is a 43 feet required setback so the walls must be 43 feet from the street. The Sparkman entrance is 40 feet. Then we can build walls with the poles in place and then bury the lines later. Don't want to wait 2 years to build the entranceway because want to bury the lines first. So the compromise was to build the walls as close as possible to the street and then think about burying lines. The problem with burying the lines is that there are a lot of lines on Holmes. So if you stand on the second floor in Charger Union and look across Holmes, you will have all of these lines right there. Those lines can't be buried because they are high voltage transmission lines. So the city will work with us on relocating those lines to University Drive, but they have to be in the air. So we have a choice – we can get rid of one set of lines, but not 2 sets. So the question is: where do you want the lines? On Holmes, where they can be seen from Charger Union, or on University Drive? That's independent of building the

entrance wall. Will go ahead and build the wall and then decide what to do with the lines.

- Mitch Berbrier: If we decided to get rid of lines on Holmes and leave lines on University, wouldn't we be better off having the entranceway a little further back than where we are planning on putting it now?
- President Altenkirch: No, because these lines will be relocated to run up University. We think they have to be located on the same side they are on now, not 100 percent sure. But we have some latitude as to where they go. So we can move them closer to the street. So it's now best off building the entranceway now, and dealing with the lines after the fact. Will need to make renderings on how two options look.

#### Questions?

- **Unidentified Senator**: On the other side of the main campus, Technology Hall, we have some 1500 students in the building. There's no eating place for the students who cannot go between classes. They sit in their cars to eat their lunch because everything is in the center of campus, across Sparkman.
  - President Altenkirch: Agree, and this new layout will reduce some foot traffic across Sparkman. Ultimately, with the exception of Cramer Hall, we do have to look to moving everything across the street. Can't say it will happen within 3-5 years, but this is the notion. But you're right, the location of that building isn't good.
- **Unidentified Senator**: Is it possible to build a bridge across Sparkman?
  - President Altenkirch: Been here 2 years and frequently drive under bridge on University. In 2 years, he's seen 1 person on that bridge. Statistics say people won't use bridge because they don't want to climb up and down it. It's really expensive and the return on investment isn't good. There are drawings of digging down to build Charger Union under a bridge on Holmes, at the time that cost \$9 million. So on Holmes, there will be a wide speed bump and a pedestrian light that flashes to oncoming traffic, then it goes red and the pedestrian walks across. That's probably what we will do on Sparkman. Sparkman is dangerous. Also think the crosswalk is in the wrong place.
- Tim Newman: Received a **letter from Human Resources** about a month ago. It is a **Notice of Material Changes to Notices of Health Plan Information Practices for University...** It said the plan disclosures were different. So he pulled them up and highlighted 6 areas on FSA plan where plan was a little bit broad or vague. There are two specific areas he wants to talk about. One, on certain marketing activities, the university is reserving the right to communicate with faculty about treatment alternatives. He doesn't agree with this and doesn't necessarily like it. Thinks there is an opportunity for abuse in this. In addition with the data aggregation and also with that treatment alternatives, he and his family went to healthcare provider recently. They received the receipt, but the diagnosis on the receipt was not consistent with the prescription. So he called the healthcare provider and asked which one was correct. They said the prescription was correct. He asked how is that the diagnosis then because the diagnosis and prescription were for opposite things? They said that they just mark that condition on everyone. So when aggregating this information and using it for research purposes, there is the saying: "garbage in, garbage out". UAH may not be getting reliable information so thinks it would be a tremendous mistake to offer treatment alternative when don't know what true diagnosis was. This is also a concern for him because over

the years, he's seen legal counsel at the university take a somewhat gratuitous reading of documents, and thinks we are in a situation now for faculty to be protected from those readings. We have to have things spelled out crystal clear in every document we have. The letter alerted him to the document. The document is on the Human Resources website. Flexible Spending Plan Privacy...

- President Altenkirch states he hasn't seen this document, but he did see the letter.
- Mitch Berbrier: Question for Tim Newman – said that the alternatives were under “certain marketing activities”, but didn't mention anything on that.
  - Tim Newman: Don't know what “certain marketing activities” means.
  - Richard Miller : The fact that it's under marketing and not under healthcare suggests that it's for commercial purposes, not to better healthcare.
- Tim Newman: So under the “certain marketing activities”, you can be communicated with about services offered by the plan, but there is also the blurb about treatment alternatives under it.
  - President Altenkirch: Hasn't read it so can't react to it. Would say that someone would need to explain why the changes were made. He's never been asked about the changes, so doesn't know where they came from.
- Tim Newman: Suspects that many of the items were already there and the changes were minimal, but the letter caused him to go look at it carefully. So some may be new and some may be old. At least 6 instances there based on gratuitous readings in past, those could be construed.
  - President Altenkirch will ask about it and see where it came from. He can tell you from his experience with using BC/BS that the bills and notices are incomprehensible.
- **Unidentified Senator**: Mentioned the redesign of the UAH website. He wishes the university would provide help with research groups' websites to make them look more professional.
  - President Altenkirch: First the iFactory comes up with the navigation structure. Then they begin the artistic design so there's a template. You will have access to that template. It will cascade down to lower levels. So you can get help. Wants to add two to three people to help manage the university website, but will finish building the design first so they know what kind of people they need. There will be a web-team when iFactory is through with their redesign to help you with the implementation. It won't be the IT people because they are responsible for chargernet as far as the web goes. Chargernet is an entirely different setup. It is much more technical and it's not very pretty. All universities use it. It's a Sunguard product and everyone uses it. That is separate. You will have access to the template design.
- Bhavani Sitaraman: Is a bond issue involved with the renovation? Did you look at the impact and affect it will have on tuition?
  - President Altenkirch: The renovation of University Center is about \$1.2 million, and a good chunk of that will be paid for by the Army because most of the renovation is in the bookstore. The remainder will be taken out of the fund balance, which is around \$160 million. The system all together has over a billion dollar fund balance. There's some pressure to depleting that fund balance. The

small renovation projects will be paid for out of the fund balance. The rebuilding of Madison Hall – the people who do our bond sales are doing an analysis to see if we have more debt capacity that won't cause us to get a downgrade on bond rating. If the analysis comes back that yes, we have more debt capacity, then if we take on about \$20 million worth of debt, will our bond rating change? If the answer is we have the capacity and the bond rating won't change, then we will work with system to make a decision as to how much debt to take on and how much to take out of the fund balance, so a combination of the two.

- Bhavani Sitaraman: Will we look at the impact of this down the road on possible tuition?
  - President Altenkirch: That's all tied into the analysis if we can take on more debt capacity. No we don't want additional debt to impact tuition, more than "usual", so that's all in the analysis. We have to have the revenue stream to support the debt service. There are different debt vehicles now. In the last issuance, we split between long-term debt and bank loan. Received pretty good interest rates. The people who do our bond sales and our analysis are good. We will not take on additional debt that will mess up our bond rating and cause us to hike up tuition out of ordinary. Thanks everyone.
  
- Brent Wren: Just under 2 months away from **commencement**. Reminds everyone that it's on a Sunday this year, rather than the usual Saturday morning. Sunday afternoon at 2pm at Vaughn Braun Center. Had to move it because the hockey schedule came out late and there's a game that Saturday. So commencement is Sunday, December 15th at 2:00 pm.
- President Altenkirch: The commencement speaker is Tasia Malakasis who owns Belle Chevre, a cheese company. She has a Bachelor's Degree in English from UAH. She will talk about entrepreneurship.
  
- Mitch Berbrier: Approval of the minutes and the Senate Executive Committee report.
- Charles Hickman motions to approve minutes of Senate Meeting 540. Eric Seemann seconds.  
*Ayes carried the motion.*
- Tim Newman moves to accept the Executive Committee report. Charles Hickman seconds.  
*Ayes carried the motion.*
  
- Reports:
- President Berbrier:
  - **Chancellor Witt** will speak at the Faculty Senate meeting on January 9<sup>th</sup>, specifically to address the Faculty Senate. Asked him to come talk about his vision for the system and UAH's place in it. Regular time and regular senate meeting. All faculty are welcome to attend.
  - Spoke with President Altenkirch a few weeks ago about realignment and developing an actual **policy on realignment**. There was an ad hoc committee within the Faculty Senate headed by Tim Newman a few years ago to deal with some issues then. They came up with a report which, after a year, realized was going to be completely ignored. But now President Altenkirch says it's an impressive report and thinks we should have a policy and agrees with the Faculty Senate. So putting together an ad hoc committee to take that report and turn it into a policy.
  - **HURON committee**: Report is due this semester. Will get the preliminary full report next Wednesday at the meeting, and soon after, maybe the 29<sup>th</sup>, will get the full report. President Altenkirch is focusing on some recommendations already made that are

obvious, such as consolidating similar functions in the same place and making them more accessible to students. They've done a lot of research on target markets and what we are missing and we are not seeing. So still waiting on final report, but should be interesting. Richard Miller is now on the committee, so there are 2 faculty senators on it now.

- Richard Miller: Can you tell us what role faculty has played in contributing to this report so far?
- Mitch Berbrier: Was also brought in a little late and missed the first 2 meetings. They had already been on campus and been around and had spoken to a lot of people by the time he came aboard. So not sure how many they have spoken to. Their focus was more on processes of enrollment, etc. He did ask President Altenkirch about making sure that Faculty Senate is consulted once the report is made. Anticipates that somebody will present those things in detail to the Faculty Senate.
- **General Education Requirements committee:** Wants to add to what President Altenkirch said. Dr. Word is guiding this process because it's her expertise. She's being very methodical in getting the principles down. The third meeting is tomorrow. She's also being democratic in getting everyone to come to some understanding about what is the definition of General Education on this campus, and what do we want out of General Education? Definition that fits the abstract, broader idea of what General Education is, as well as the needs of this campus. It's a very ground-up and democratic process with a lot of faculty input.
  - Carmen Scholz: At one point there was talk that the credit hours were going down from 128 to 120. What does the President say about this?
  - Mitch Berbrier: We asked him about that in the Executive Committee meeting. There are a lot of people around campus who have heard that there is some kind of mandate to move from 128 to 120. Started looking into it. President Altenkirch said at the Executive Committee that he never said that. He said they wanted to get everything to a maximum of 128, but he never said there's a mandate to get things to 120. Still trying to track it all down, but at least one program, Economics, has moved to 120. There is the option to move to 120. Any other programs moved down?
  - Carmen Scholz: Well we can move down to 120, but it would not leave any room for electives or remedial courses.
  - Mitch Berbrier: It sounds like there are pressures to move down to 120, but no policy to move down to 120. Where the pressure is coming from – probably from looking at other universities. There is some federal granting agency that won't give financial aid beyond 120 at some point so pressures there. Pressures to cut cost of university education. So people are hearing these things. 2 different people in 2 different colleges who have been involved in program refinement say they can see the writing on the wall – everyone's going to 120. But the President is saying he never said everyone has to go down to 120.
  - Richard Miller: The Associate Provost and the President said they are going to speak to the deans about this because they suspect some of the miscommunication is being filtered through the deans but there is no mandate to go to 120.
  - Charles Hickman: Was at Calhoun Community College this morning encouraging students to come to UAH. He asked one of the classes there who all was



- planning to go on past their Associate's. One said narrowed it down to UAH or Athens, but Athens only requires 120. So it is an issue with recruiting.
- Mitch Berbrier: Somehow it's been discussed at dean's meetings, and apparently one or some misinterpreted it and word got out. So still trying to clarify because there can be pressure. Carmen's points about the GER make a big difference. If we are doing this GER committee, if there's a 120 mandate it's completely different versus 128. Concerned that if you don't have a policy one way or other, you will have certain programs going down to 120 and everyone else will feel the pressure to do that, or you lose majors. Will talk more about it. Maybe will assign this to some committee.
- **Faculty Senate membership changes:** Dr. Cerro resigned from the Faculty Senate and asked his chair to replace him. Waiting to hear from them. That's impacting the Personnel Committee because he was their chair. So we need a new chair for that committee in short order since there is business in front of them. There are also changes as a result of the split in Physics. Physics had 2 senators, but both of them were transferred to Space Science in the split, Jakobus le Roux and Nikolai Pogorelov, so they elected to have Dr. Pogorelov be their first ever representative from Space Science. The Department of Physics elected Lingze Duan as their sole representative for now. In January, there will be another member joining Physics, so they move up to 2 senators. Therefore, they will need another election then for the other senator.
  - There are many issues going on right now on many committees. So **bills and resolutions** are forthcoming.
    - Tim Newman: Have you heard anything from the President about the status of our bylaws changes, the faculty handbook changes, the BETA Policy change, and that Senate Resolution asked about a week ago about the cross-boundaries?
    - Mitch Berbrier: No on all. Last heard, when asked him about the BETA Policy mid-September, he said by end of October, so will ask him about it again. Faculty Senate handbook – he was actively working on it during the summer, but hasn't heard anything since then so time to ask him again about it. The Resolution – he hasn't gotten back yet.
    - Tim Newman: The bill was passed 18 months ago and the senate has had no response at all. This is getting extreme. We need to have timely responses to senate action. If it's no, then it's no. It's Senate Bill 366, Senate Resolution 11/12-10. Suggestion on bylaws – understands the faculty handbook will require extensive review by administration, but the by-laws are governing operations for this body that really don't affect the rest of the university. Understands they need board approval, and so would be a while before they're approved, but would like to request that Dr. Berbrier asks the administration to move those forward. If there's a problem, to bring them back here so senate can correct them. If not, can we get them changed. We have a committee here that's looking at revising the senate landscape a little more so would be nice to have them back.
    - Mitch Berbrier: Do we know if they can separate those?
    - Richard Miller: Any change to the handbook can be handled separately. We tried to treat it as a bundle since so many changes, but any individual change can be made.
    - Mitch Berbrier: That's something that might not have occurred to them. Might be able to get it going to spur on handbook process altogether.

- Are there any officer reports?
  - All officers (Richard Miller, Tim Newman, Deb Heikes, or Wai Mok): None
- Committee reports:
  - Phillip Bitzer, Governance and Operations: Making progress on the bill regarding senate representation on committees mentioned in the Executive Committee meeting.
  - Charles Hickman, Finance and Budget: He was asked to begin attending the **UAH budget committee meetings**, so he does. Ray Pinner reported to this committee on the foundation, based on fiscal year 2012. The total assets of the foundation are approximately \$50 million, \$16 million or so of that is in real estate. That has been historically the holdings of the foundation. They have been given land over time and then sold it. \$34 million invested in UA system pool endowment fund. Each year we take out the 5% on a 3-year moving average. That is used primarily to fund president scholarships (\$700,000 in 2012) and scholar positions. Income for 2011 was \$3.5 million in contributions. Received a bunch of money from the state. \$2.5 million in investment income for 2012. So about 2/3 of the \$50 billion is invested in the pool endowment fund of the UA system. **Speaker series**: Contacted President Altenkirch and his role as Acting Provost, he agreed to continue funding for 2014-2015 academic year. He actually increased funding \$1,750 for the current year. He agreed to increase that to \$2,000 and go from 7 speakers to 8 speakers. One per month except for May. So it is up to \$16,000. Will be getting request for proposals out to the faculty within the next month. **Scholarship funding**, President Altenkirch might have mentioned sometime before. Went from \$4,118,000 this year, ending 2013, to \$8.5 million dollars this year. That is university funding so it does not include foundation funding. **Research and Creative Experience for Undergraduates**: Working on putting funding together and taking up at the committee meeting on October 31<sup>st</sup>. That's also when Ray Pinner will talk to the Finance and Administration Committee about current fiscal year ending in 2014 budget. Anyone interested in attending, let Charles Hickman know. He reserved a room for the meeting. Will talk about the funding for RCEU after Ray Pinner's presentation. Will report on this at next Faculty Senate meeting.
  - Peggy Hays, Undergraduate Curriculum: No report
  - James Blackmon, Undergraduate Scholastic Affairs: Not present
  - Fan Tseng, Faculty and Student Development: Making some progress on the Lecturer Ladder. Will meet next week.
  - Personnel Committee:
    - Mitch Berbrier: Will regroup with this committee. There has been some controversy over the last few weeks within Executive Committee and the Personnel Committee over interpretations of existing policies regarding tenure. As a result of the whole discussion, we learned that we all agree on what we want moving forward and what should be the case which is essentially that the tenure process, should involve PTAC and URB in all tenure decisions. Will work with Personnel Committee to ensure this is the case and we get a resolution.  
The first thing you need to do is to elect a new chair. Once you have that, then the chair will set a meeting and you will go forward.

- Nick Pogorelov: We do not even know the reason for his resignation.
- Mitch Berbrier: Can't speak for Ramon, but there were 3 different reasons for his resignation. One pertains to PTAC and URB tenure, 2 don't. Beyond that, it is for him to tell people.
- Carolyn Sanders: The committee felt blindsided, and so the reason we haven't regrouped is it's still unclear what our voice as a committee is in the process. If we are given a charge to review a policy, and then issue an opinion, we do need to understand not everyone is going to embrace that, but it seemed like our opinion was handed off and there was never any discussion about what our philosophy was. So there was a feeling of being disenfranchised from the whole process. That might be why our committee hasn't gotten back together. What is our voice?
- Mitch Berbrier: That's fair enough. This is what happened: I had a meeting with the President, so I had to review the materials, and I first had a chance to read those materials that morning and had a different interpretation from the committee. But I went to the President I said the committee and many others from the senate feel differently – I represented the view of the Personnel Committee and told President Altenkirch what their point was. So it wasn't a matter of the committee's recommendations not being taken into account. They were read, and by the whole Executive Committee, and just like any other recommendations, they were interpreted and most people agreed and some disagreed.
- Bhavani Sitaraman: One of the issues always confused about in the process is when you have 2 sets of things going on. One is the formal, trickle down process; producing the bill, putting it on agenda, etc. Then there is the informal backdoor process. Understand need for both, but sometimes those two processes can get blurred. Understand why that creates a sense of futility on part of delegates when they don't understand why it didn't go through process of consideration, negotiation, etc..
- Mitch Berbrier: It didn't get negotiated. I was asked here 4 weeks ago to go talk to the President about the interpretation. Taking all of the information I had, including the committee report, talked to the President about Bob Rieder's interpretation and his interpretation of the role of PTAC and URB, and tried to get his sense of that. I did try to get his sense of what would be acceptable to him with the role of Faculty Senate putting something together – to see if there is a bill that we can get passed, as opposed to one that we can't get passed. I was just following your [Faculty Senate's] orders to talk to him, but that's all that happened. Nothing was decided. In fact, the Personnel Committee report included language of a potential resolution to this problem and it is that very language from which we will work.
- Richard Miller: I think it's important to point out that the President has accepted this in principle. He is in favor of the Personnel Committee's conclusion.
- Bhavani Sitaraman: Heard a little discussion about an administrator and then heard it might be chair. Have to be careful about the language used in the process because (to her) a chair is a faculty member, and the rules have to be comparable to those who have been included. If high level dean or chair up for promotion or tenure, the search has to start early. Can't have a search at the last minute and force faculty to accept. Want to make sure we don't put something vague there.
- Mitch Berbrier: That's essentially what it says now. It needs to be tinkered with and we need to be more specific with it. Focus on what we are going to do in terms of time for PTAC and URB. Need something for timing and searches.

- **Unidentified Senator**: The search committee makes final decision, only after that can PTAC and URB can be involved.
  - Mitch Berbrier: Right, it's a fine line. It can't be rushed, needs to be done properly still have to go through process. Can accelerate meetings and ask people to review documents more quickly under certain circumstances. If the search is timely and they get approvals early enough in academic year, that will help. At some point, competition causes the need to hire. But just because it's a rush, doesn't mean have to do the process incorrectly. Can accelerate process, without improperly doing the process. Make sure have meetings more quickly and pressure people to read the application.
  - **Unidentified Senator**: If I were sitting President I wouldn't expect that I would necessarily have the opinion of the entire committee. That's okay. It was more of a concern when everyone was weighing in on interpretation of the handbook. That's where I wonders what role does our PC really have if felt like the EC is really the one making the decisions.
  - Mitch Berbrier: That's partly my fault. We [members of the Executive Committee] weren't making a decision, we were having a debate. Sent explanation of his thoughts, and then it was picked it up and discussed in front of entire group, and then everyone began to weigh in on it. And he isn't going to quiet everyone when they're weighing in on it. That wasn't the intention, though.
  - **Unidentified Senator**: So maybe a clarification of the procedure. So how this should work in general.
  - Mitch Berbrier: In general, it works very smoothly, but this time it didn't. In general, committees make recommendations to the Executive Committee, and the Executive Committee usually agrees. More often than not there's agreement, but sometimes there's disagreement. You're not being ignored.
- Chris Allport **motions to adjourn**. Nick Pogorelov seconds the motion.  
*Ayes carried the motion.*

Faculty Senate Meeting # 539 adjourned  
August 29, 2013, 2:05 P.M.

---

**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 2<sup>nd</sup>. Then we have the week of December 9<sup>th</sup>, and then December 16<sup>th</sup>. It's possible, if there are 4 candidates, to put 1 the week of December 2<sup>nd</sup> (although Ray Vaughn will be out of town the 2<sup>nd</sup> through the 6<sup>th</sup>), 2 the week of the 9<sup>th</sup> and 1 the week of the 16<sup>th</sup>. The week of the 16<sup>th</sup> 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 3<sup>rd</sup> is last day of classes. So immediately after that, the campus will have a different feel from the usual. Certainly by end of the 2<sup>nd</sup> or 3<sup>rd</sup> 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 2<sup>nd</sup>. Is it their schedules?
  - President Altenkirch: No it's Ray Vaughn's schedule.
  - Deb Moriarity: 2 the week of the 2<sup>nd</sup> and 2 the week of the 9<sup>th</sup> is desirable. December 16<sup>th</sup> 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 16<sup>th</sup>. 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 23<sup>rd</sup> 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 23<sup>rd</sup>, 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.