

FACULTY SENATE

THE UNIVERSITY OF ALABAMA

FACULTY SENATE MEETING

OCTOBER 21, 2003 – 3:30 PM – FERGUSON FORUM

Minutes Approved at Senate Meeting on Nov. 18, 2003

Roll call and quorum check by Roy Ann Sherrod

ABSENT: Bing Blewitt, Catherine Davies, Don Hooks, Karen Burgess, Will Schreiber

ABSENT WITH ALTERNATE: Jerry Weaver (Alt Bruce Barrett), Nick Stinnett (Alt Peggy Jessee), Jessica Lacher-Feldman (Alt Marcia Barrett)

GUESTS: Meredith Wood, WVUA; Tiffany Summerville, Crimson White; Louis Marino, Management and Marketing faculty; Joanna Hutt, Dialog; Mike Butts, Campus Mail; Robert Brooks, candidate for RSI position, invited by John Mason; Jim Holliman, Professional Staff; Joshua Silverberg, SGA.

The minutes of the September 16th meeting were approved with a request that the unapproved VIVA Health Care resolution proposed by Wythe Holt be an addition to the minutes.

Bob Brook was introduced as a candidate for a position on the board of control of the Teachers Retirement System of Alabama. The board oversees a 14 billion dollar portfolio. Professor Brook is a faculty member in the UA Business School. He has written many articles and two books about the field of investment. Ballots have been mailed and consideration of this candidate was requested. Margaret Garner requested everyone vote and seriously consider this candidate.

Karen Steckol from Arts and Sciences (Planning and Operations Committee) and Marcus Brown replacing Garry Warren (Academic Affairs Committee) were introduced as new senators. Marcus has prior service in the Faculty Senate.

The first action item on the agenda was the proposed change to the by-laws regarding nominations for **Ombudspersons**. In the proposed change the letter "A" should be replaced by "The". Any change to the by-laws must be presented at one meeting and voted on during the following meeting. It was proposed to change the last three sentences to read: "These will be reviewed by the Senate Operations Committee for candidates who meet criteria as itemized under items 5, 6, and 8 in the guidelines. *The* slate of nominees will be distributed for election at the same time as Senate elections. Every effort shall be made to nominate multiple candidates and to rotate representation through the various departments and colleges over a period of time." This was passed as an amendment at the previous meeting. These changes are in the September minutes. The point was made that it does not state who selects the slate of nominees. The motion was made and seconded to add "*all qualified*" nominees with the qualifications being stated in the by-laws. The vote on this amendment passed. The proposed change as amended and corrected passed.

The next item was a resolution presented by the Faculty Life Committee requesting the

addition of "**sexual orientation**" to the University's Equal Opportunity Policy and Non-Discrimination Policy. This **resolution** was spurred by a resolution passed by The University of Alabama's Student Government Association on September 11, 2003, with the last "Therefore" clause stating "The University of Alabama Student Senate stands with the various Student Governments and Faculty Senate of The University of Alabama-Birmingham in their efforts to include sexual orientation in their University's Equal Opportunity Policy and calls upon President Witt, members of The University of Alabama administration, and The University of Alabama Faculty Senate to work towards the same goals and to take other steps as warranted toward ensuring compliance with this amended policy." The University of Alabama Faculty Senate passed a resolution on faculty support for diversity on March 21, 2000. The language for the proposed resolution was derived from:

Relationship of Proposed Sexual Orientation Resolution to Faculty Senate's Previous Diversity Resolution and to Student Senate's Sexual Orientation Resolution

Proposed Senate Resolution Relationship to Other Resolutions

1st Whereas clause 4th Whereas clause in previous Senate Diversity Resolution

2nd Whereas clause 1st & 2nd Whereas clauses in previous Senate Diversity Resolution

3rd Whereas clause 5th Whereas clause in previous Senate Diversity Resolution

4th Whereas clause 2nd Whereas clause in Student Senate Resolution

5th Whereas clause 3rd Whereas clause in Student Senate Resolution

1st Be it resolved clause 1st & 4th Be it resolved clauses in previous Senate Diversity Resolution

2nd Be it further resolved clause New

3rd Be it further resolved clause 1st Be it resolved clause in Student Senate resolution, with additional wording

The incorrect date of April 18, 2003, stated in the SGA resolution as the date The Board of Trustees passed a resolution stating in part, "The System promotes opportunities for equal access for all qualified students and values diversity among its students, faculty, staff, and administration," as well as, "The System helps stimulate the continuing awareness of ethics and human values" was actually passed by the Board on September 19, 2003. A FAX was received by Mathew Winston from the Christian Coalition of Alabama objecting to the adoption of the "sexual orientation" resolution. The Parliamentarian Bob Sigler pointed out that "the proper procedure for dealing with a revised resolution is the substitution provision in amending a motion. A member moves the motion, (in this case resolution) be amended by substituting a different motion. This amendment is debatable and if passed stands as an amendment to the motion so the body must vote on the motion (vote twice, once to pass the amendment for substitution, followed by additional debate if needed, followed by a vote on the motion)". George Franke proposed an alternative amendment and proposed that both proposals be considered at the same time. There was

only one motion before the Senate for discussion titled, "Proposed Resolution on Sexual Orientation and the University's Policies". There was a motion and a second for the substitute resolution to be placed on the floor for discussion in place of the proposed resolution. The resolutions are very similar with the substitute resolution having a broader focus on human inclusiveness and respect rather than a narrowed aspect. The opinion was offered that this amendment would weaken the proposed amendment and should be brought forward at the next meeting. The point was also made that there are many categories of people suffering discrimination. Groups mentioned were obesity, physical stature and others. Concern was expressed about the use of the word "unwarranted" in the resolution. An example of "unwarranted discrimination" would be the basis of teaching potential, publication potential and education criteria used in the hiring of faculty. Another concern was using language in the amendment broad enough to include all types of possibilities. The vote taken to substitute the proposed resolution amendment for the original resolution was not approved/ passed. There was discussion concerning the Board of Trustees resolution and the omission of "sexual orientation" specifically. It was decided that the meaning of the resolution was unclear. The actual meaning of "sexual orientation" was questioned. Would this include illegal acts? It was suggested that thinking and acting are entirely different. The definition of "sexual orientation" offered was an affectionate, sexual and emotional connection with another person who is an adult. It was proposed to add an amendment or a footnote to clarify the meaning of "sexual orientation". It was suggested that most of the general population have a clear knowledge of this meaning. The opinion was stated that the language of this resolution has enough ambiguity to allow an interpretation accepting many other orientations. One senator stated that this issue of the meaning of "sexual orientation" was a method to derail the resolution. A number of Fortune 500 companies have included this "sexual orientation" provision in their policies. It was suggested to vote on the proposed resolution first and then vote on the footnote. The meaning of "any systems and practices embodying such discrimination must be dismantled" was questioned. A call to question and seconded to cease discussion resulted in the vote of approval 30 For, 8 Opposed and no abstentions. The vote to pass the resolution resulted in 28 For, 10 Opposed and 5 Abstentions. The "Proposed Resolution on Sexual Orientation and the University's Policies" was approved.

Resolution on Sexual Orientation and the University's Policies

Whereas, the University of Alabama bears a special moral and ethical responsibility to promote diversity and inclusiveness, and

Whereas, a diverse and inclusive learning environment which respects and enhances the potential of all members of our community is crucially important to the University's mission of achieving excellence in teaching, research, and service, and

Whereas, the Faculty Senate of The University of Alabama reaffirms its belief, first stated in its Diversity Support Resolution passed unanimously on Mar. 21, 2000, that "acceptance of diversity in terms of race, ethnicity, religion, culture, gender, sexual orientation, or physical challenges is critical to responsible leadership and citizenship," and

Whereas, the Board of Trustees of The University of Alabama affirmed on Sept. 19, 2003, that our University system "promotes opportunities for equal access for all qualified students and values diversity among its students, faculty, staff, and administration" and "helps stimulate the continuing awareness of ethics and human

values," and

Whereas, the current University policies on non-discrimination and equal opportunity are unclear regarding discrimination based on sexual orientation,

Therefore, be it resolved, that the Faculty Senate of The University of Alabama reaffirms its commitment to promote respect for and appreciation and celebration of diversity in all aspects of University life, and reaffirms the importance of an inclusive and welcoming environment for our University community, and

Be it further resolved that discrimination based upon sexual orientation is condemned, and that any systems and practices embodying such discrimination must be dismantled, and

Be it further resolved that the Faculty Senate joins with the University of Alabama Student Senate, various elements of the University of Alabama-Birmingham Student Government, and the Faculty Senate of The University of Alabama-Birmingham in requesting that "sexual orientation" be included in the types of discrimination specifically abjured in the University of Alabama's Equal Opportunity Policy and in its Non-Discrimination Policy, and further joins them in requesting that all other steps as warranted be taken toward ensuring compliance with this amended policy.

Adopted by UA Faculty Senate

October 21, 2003

There was a vote of approval for the suspension of the rules to consider the motion and second to add as a footnote the definition of sexual orientation to the resolution. The footnote would include homosexual, lesbian, bisexual, heterosexual and transgender individuals. The vote was: For 27, Opposed 7 and 9 Abstentions.

The next issue on the agenda was the **University budget**. Dr. Witt met with the Faculty Senate Steering Committee last week and presented information concerning the budget. "The University of Alabama Budget Planning Priorities For the Year Beginning October 1, 2003 and Ending September 30, 2004" dated October 7, 2003 was handed out to the senators. Dr. Witt made the point that the University needs to think of itself differently in the matter of increasing revenue. He aims to increase assistance to students facing increased tuition. The priority of research, increasing grants and financial support will be of the highest priority. Critical needs are deferred maintenance, increased insurance costs and benefits (PEEHIP costing 4.2 million dollars and over one million dollars for Teacher's Retirement) and technology upgrades. This year's increased revenue from increased enrollment will be used to pay for last year's tuition deficit. Dr. Witt is building a reserve for next year's shortfall. He has asked the Deans for 2.35% of academic units for various purposes. There will be no raises this year other than promotional raises. Raises of a total of seven percent have been given over the past two years. The President of Auburn is preparing for a seven percent reduction in state allocations next year. For The University of Alabama the amount would be 8 ½ million dollars reduction. The tuition increase and the enrollment increase were crucial. In two to three weeks a meeting of the Legislative Agenda Committee will determine the approach and strategy for the coming year. The reductions in UA special line items will not be made up out of UA academic funds. Those entities will have three months to make efforts to replace that funding. The faculty was assured they would have input into decisions made concerning the budget. John Mason will follow up with Dr. Witt and Provost Bonner. The Financial Affairs Committee has been asked to acquire copies of last year's and this year's budget.

The President and Vice President are members of the **Intercollegiate Athletics Committee**. A meeting was held on September 24 to review the Interim NCAA Certification Report. Information was given concerning the Compliance Office of the Athletic Department. The differential in men and women's sports has resulted in the establishment of a women's crew team as a new sport. Efforts are underway to reduce the number of participants in football.

A comment was made expressing concern that there are efforts toward privatizing the University. Others expressed assurance that this is not the case. The University is mandated by the state constitution as a public institution. The meaning of Dr. Witt's comments was to have the vision that private institutions have; that is, the level of state support for state schools is diminishing. More external funding and grants are desperately needed to fill that void.

University Standing Committees ---

Academics & Athletics Debra Humphrey Have not met

Awards Torin Alter Have not met

Biosafety Research Robert
Moore Met-comply with Fed
guidelines

Campus Master Plan Daniel Goldmark

Campus Security & Safety David Beito Met-increase security for bldgs.

Defibrillators suggested

Challenge 21 David Arnold

Coalition for Diversity & Inclusiveness Sheri Shuler Speaker Nov. 12-340 Bidgood

Larry Clayton

Committee on University Committees Mathew Winston Met- filled some vacancies

Conflict of Interest Policy Margaret Rice Have not met

Energy Management Don Hooks

Equal Opportunity Wythe Holt Met-passed resolution supporting

SGA sexual orientation resolution

Faculty & Staff Benefits Catherine Davies VIVA Health plan postponed-will

Meet Tuesday

Graduate Council Tavan Trent Working
on increasing on-line

journals

Graduate Scholarship John Vincent Have not met

Health & Safety Ken Wright Met-working on risk assessment

Human Relations Council Carol Drolen Met-improve human relations

Information Technology Marcus Brown Met-addressing power failures,

Hackers, flooding, etc.

Institutional Animal Care & Use Janis Nuckolls Met-humane treatment of animals

Institutional Review for Human Subjects Lori Messinger Faculty training & consent letter

Intercollegiate Athletics Steve Miller Equal men/women in sports

Interim Program Coordination Jerry Weaver

International Education Francine James International Education Week

Legislative Agenda Margaret Garner Strategy for upcoming year

Libraries George Franke Have met – no report

Media Planning Board Caryl Cooper Meeting Wednesday Oct 22

Merger/Discontinuance of Ac. Units Nick Stinnett

Parking & Traffic Regulations Marvin Johnson Meet next week

Quality Council Jay Lindly

Research Advisory Wolfgang Bertsch No report

Resources & Priorities John Mason Met following St. Committee

ROTC Programs Review Mohammed Sharif

Selection of Deans Harry Price Chair has not been selected

Committee has not met

Staff Development Lee Pike Meet next week

Student & Campus Life

Student Health Karen Burgess

Teacher Education Council Bing Blewitt

Undergraduate Programs & Services Doug McKnight Met-why students going Shelton

University Recreation Karla Carmichael Faculty only area at Aquatic Center at reduced fee

Academic Affairs – (*John Vincent & Margaret Rice*) This committee is addressing the

issue of the national survey reflecting senior and first year student's opinion. First year students did not feel they were receiving enough one-on-one time with their instructors, time broken into small groups, project oriented, course work, team collaborative learning and other categories. John Dew asked the committee if there would be a problem if he went to the chairs of certain departments with large classes to improve this area. The committee had no problem with this.

Faculty Life – (*Karla Carmichael & Nick Stinnett*) Faculty Life is addressing those issues faculty listed as the highest priority in the faculty survey.

Financial Affairs – (*Catherine Davies & George Franke*) – Report given on University budget as stated above.

Planning & Operations – (*Mohammed Sharif & Mathew Winston*) This committee considered the proposed Wednesday holiday before Thanksgiving and did not approve the holiday. The reasons included how late the proposal was made. Faculty would not have time to adjust their academic schedules to accommodate the cancellation of classes. A decision from administration has not been forthcoming. Possible discrimination regarding intra-campus mail privileges and determining the policy for the establishment of official faculty campus organizations were other issues addressed by this committee.

Research & Service – (*Wolfgang Bertsch & Don Hooks*) – No report

Senate Operations – (*Harry Price & Frannie James*) - Senate Operations will be bringing revised Senate bylaws forward and asked for input and suggestions.

Student Affairs – (*Caryl Cooper & Steve Miller*) The Student Handbook and the role of faculty advisors were being addressed by this committee.

There is an issue of faculty liability and a question concerning the position of the University supporting faculty.

Meeting adjourned 5:15 pm