

FACULTY SENATE

THE UNIVERSITY OF ALABAMA

FACULTY SENATE MEETING

MARCH 16, 2004 – 3:30 PM – FERGUSON FORUM

APPROVED MINUTES

ABSENT WITHOUT ALTERNATE: Catherine Davies, Daniel Goldmark, Janis Nuckolls, Richard Richards, Don Hooks, Karen Burgess, Steve Miller, Sheri Shuler, Karla Carmichael, Doug McKnight, Mitch Shelton

PRESS: Amber Cato, Alabama Public Radio; Joanna Hutt, Dialog; Ebony Hall, ABC 33/40; Asa Allen, ABC 33/40; Gilbert Cruz, Tuscaloosa News

GUESTS: Carlton McHargh, BSFSA President; Jim Holliman, Professional Staff

Roll Call and Quorum check by Roy Ann Sherrod.

The minutes of the February 17, 2004, Faculty Senate meeting were approved.

Bob Moore, Co-Chair of the Senate Operations Committee, will conduct the **election** process of Faculty Senate officers for 2004-05. The slate of nominees are John Mason for President, Mathew Winston for Vice President, John Vincent and Karen Steckol for secretary. Each candidate was asked how they would vote on the "Resolution on Academic Freedom and Tenure". The opinions of the candidates included support for the resolution with modifications, some wanted more information and discussion, and one expressed that the resolution was premature and suggested a strong statement be composed regarding this issue. The results of the election were: John Mason, President; Mathew Winston, Vice President and John Vincent, Secretary. The Senate commended the officers of 2003-04 for an outstanding job.

The **Proposed Revision of Faculty Senate Bylaws** was the next issue on the agenda. Item "B" gives both the Senate as a body and the President unilateral power to form special committees. The ombudsperson language was changed to allow any faculty member the freedom to contact any ombudsperson, not specifically one from their department or division. Item "I" changes the "Amendment of Bylaws" to read: " The Bylaws may be amended by a majority vote of the members of the Senate at a meeting subsequent to the meeting at which the amendment was proposed. *Amendments to proposed bylaw changes may be proposed from the floor, and voted on, at either of these two meetings.*" The date of February 10 was changed in the bylaws for any senator interested in serving in one or more Faculty Senate offices to turn in a written statement of intention. The date of February 10 could fall on a Saturday or Sunday. The "Tuesday prior to the February Senate meeting" will be the substitute time frame for submission of the written statement and was accepted by the Senate Operations Committee. A suggestion was made to amend the bylaws to correspond with the way the election was conducted this year. The candidates other than nominations from the floor were in place a month before the March meeting of the Senate. The advantage of this process gives the senators time to review the candidates and their qualifications before the March meeting and the voting process. There were advantages to retaining the process as it is and the suggestion for an amendment to the bylaws was withdrawn. The notation of the secretary's name at the end of the bylaws signifies that the secretary certifies the bylaws are accurate. The secretary's name would

only change when the bylaws are changed. Mathew Winston moved and seconded that the revisions of the bylaws as amended be accepted. The vote was unanimous. The Senate Operations Committee was commended for an excellent job.

The "Nomination and recommendation of three faculty members for appointment on the Committee on University Committees (CUC) to President Witt" was the next item on the agenda. Nominations will be accepted from the Senate floor until no further nominations are offered. A list of faculty members responding to the CUC survey listing CUC committee preference was provided. The Senate is not obligated to restrict its recommendations to those on the list and may recommend any faculty member for appointment on CUC. After all nominations have been made, the Senate will recommend three faculty members for appointment on CUC. Recommendations will be determined by a vote of the majority of the senators. The faculty membership of the Committee on Committees constitutes a voting majority of the Committee and is selected by the University President from a group of faculty recommended by the Faculty Senate. The Committee on Committees annually elects its chair from its faculty membership. Where the University President chooses not to accept a nomination or recommendation, the President contacts the chair of the Committee on Committees or the President of the Faculty Senate, as appropriate, in order to reach agreement. If agreement cannot be reached, the President requests another nomination or recommendation. John Mason expressed concern regarding the statement that the President would contact the President of the Faculty Senate for a decision. John feels that the Senate should make the nominations or recommendations. The meaning of the statement is that the Faculty Senate President's role would be to convince the University President that the nomination or recommendation is a good one. There would be no change made by the Faculty Senate President. The question was asked, "What would happen if the President rejected the recommendation and the Senate does meet from April to August?" There would be an extended time without a decision. It should be stated in the Senate rules that the same process be followed for the second recommendation as the first recommendation. There is nothing to prevent the Senate from having a slate of back up recommendations in reserve. It was suggested that the top three names from today's election be sent forward to the University President and the next three names in order of number of votes be the reserve recommendations. Mathew Winston is currently the Faculty Senate Liaison to the CUC and suggested that the voting of the Senate could be done in the fall meeting. It was determined to have a run off vote. The eleven nominees are: Donna Gullette, Asst Professor, Nursing; William Marvin Johnson, Asso. Professor, School of Music; Mangal Krishnamurthy, Reference Librarian, Charles W. Nuckolls, Professor, Anthropology; Raghvendra Pandey, Cudworth Professor, Electrical and Computer Engineering; Janice Simpson, University Libraries; Stephen Tomlinson, Asso. Professor, Educ Leadership, Policy & Tech Services; Keith Woodbury, Asso. Professor, Mechanical Engineering; Chase Wrenn, Asst. Professor, Philosophy; Metka Zupancic, Asst. Professor, Modern Languages & Classics; Chunmiao Zheng, Professor, Geological Sciences. Continuing faculty members on CIC are Rona Donahoe, Associate Professor, Geological Sciences and Wythe Holt, University Research Professor, School of Law. Additional nominations were: Jerry Rosiek, Asst. Professor, Ed and Psychology Research; Karen Steckol, Communicative Disorders. The candidates in attendance were asked to state their reason for wanting to serve on this committee. Among the reasons stated were willingness to serve, central role in academic life and faculty governance, opportunity to protect and preserve academic freedom and institutional freedom and tenure and an opportunity to bring a sensible approach to issues. The CUC makes recommendations to the University President for members of almost all University committees. Membership requires some knowledge of the personnel of the University and if they are qualified to serve on this committee, committees are assigned to the CUC members. In turn they check on the chair of the committee, the operation and charge of that committee and the CUC members

serves as a representative of The University of Alabama. Interim appointments are also discussed by the CUC membership. Recommendations are made for the chairs of the committees and it is the responsibility of the CUC to determine that the person recommended is well qualified and dependable for service in that position. It was pointed out that the chairs of the committees are responsible for sending a written report to the President and Vice President. The question was asked if the Faculty Senate President could acquire a copy of those final reports. John Mason will request a copy of those reports from the University President's office. Last year in reading the charge of the committees, John Mason found that the CUC had not been following the procedure stated in the Faculty Handbook. Marvin Johnson, Jerry Rosiek, Steven Tomlinson, Keith Woodbury and Karen Steckol were the nominees that proceeded to a run off vote. Three should be chosen from these five nominees. Keith Woodbury, Karen Steckol and Marvin Johnson were elected with Jerry Rosiek and Steve Tomlinson to be the names in reserve.

The "**Resolution on Academic Freedom and Tenure**" resolution read: "Be it resolved that The University of Alabama Faculty Senate firmly expresses its support of the historic role and value of academic freedom and tenure at The University of Alabama and other institutions of higher education." The purpose of this resolution was to have a statement in place supporting academic freedom and tenure without direct involvement in the situations at other institutions. Comments included the good of expressed support of academic freedom and tenure in the abstract but it would only have meaning in the particular and if this resolution would be sent to the Faculty Senate at the University of Southern Mississippi. It was determined that when a resolution is passed, it would be determined at that time where it would be sent. If passed, this resolution would be posted on the Senate web site and will be a statement of support of academic freedom and tenure by the Faculty Senate available to the Senate to be used as the Senate determines. If the other resolution that will be presented concerning this issue passes, it will be sent forward to the USM Faculty Senate. This resolution passed unanimously.

A Senate representative is needed on the **SCT Banner Student System Committee**. This representative should be qualified to advise this committee on issues pertaining to test services, faculty issues and other areas. Faculty will be impacted by the decisions that are made by this committee. Ray White, Professor in the Astronomy Department, was nominated for this Liaison position. If there is not a senator available, Ray White will be contacted.

A resolution by Al Brophy apologizing for the slavery at The University of Alabama has been submitted. This resolution has been assigned to the Faculty Life Committee and likely will be considered at the April meeting of the Steering Committee for recommendation to the Senate at its April meeting. Other issues mentioned in the resolution are reparations for the descendents of slaves, markers for the graves of slaves on campus grounds and renaming of some buildings on campus named for slave owners.

A proposed resolution supporting "**Academic Freedom and Tenure at the University of Southern Mississippi**" composed by Wythe Holt and presented to the Faculty Senate Steering Committee at the March meeting was brought forward for consideration by the Faculty Senate. Wythe Holt, John Petrovic, Wolfgang Bertsch, Bob Moore and Marvin Johnson were the five senators requesting that this resolution be placed on the agenda for the March Faculty Senate meeting. John Mason sent a copy of this resolution along with an email asking if this action was welcome by the University of Southern Mississippi Faculty Senate and if they supported the UA resolution to convey any corrections to John Mason. There was no response concerning the corrections. The President of USM Faculty Senate, Myron Henry, replied, "This is great! Thanks for the support, I hope the resolution passes resoundingly". The USM Faculty Senate voted 40-0 a "no confidence" vote on the

administration of the President of University of Southern Mississippi. The entire USM faculty voted 420-32 a "no confidence" vote in the President. The Faculty Senates of Milsap College and Mississippi State University also passed resolutions of support and requested the reinstatement of the fired two professors. Most of the information in the resolution has come from the Hattiesburg American and the Jackson Clarion-Ledger. The facts as presented in the resolution are that President Shelby Thames of the University of Southern Mississippi on Friday, March 5, ordered tenured professors Frank Glamser and Gary Stringer to his office, while in the President's office the locks were changed on the doors of the offices of tenured professors Frank Glamser and Gary Stringer, the seizure of the computers of the two professors was ordered, the two professors were suspended from their academic and professional duties and President Thames personally instituted proceedings to remove their tenure. They were handed a written statement of charges including insubordination (no other report in the media has been made about insubordination) and abuse of University computer equipment. According to one of the professors the computer abuse consisted of gathering and disseminating information critical of the administration of President Thames and specifically a dispute over the alleged misstatement on the resume of a Vice President for Research recently hired by President Thames. The Mississippi State University Faculty Senate resolution states the "support of the University of Southern Mississippi faculty in the defense of the right to engage in responsible and professional criticism of the administration of their university". The professors have been advised by their attorneys to keep the written statement of charges private at this time and President Thames has refused to release the written statement. Bill Scarborough, an AAUP member and a senator, has seen the charges and called them vague. The two professors have a total of fifty-six years teaching experience. President Thames the day after the "no confidence" vote by the faculty threatened the professors with criminal prosecution. Thames has been at USM for forty years. The question was asked if USM administration had followed their procedures properly. The answer was yes and no. The Provost should have instigated this procedure according to the USM Faculty Handbook. President Thames circumvented that and began the process personally. Support was expressed for this resolution with a request for clarification of the last two lines of the resolution. The word "ways" was deleted. It was suggested to insert the phrase "be reinstated immediately, be it further resolved that the Faculty Senate of The University of Alabama calls on President Thames to resign". Wythe Holt does not support the amendment because it would appear that the University of Alabama was interfering with the business of USM and it would be up to their Board of Trustees to fire the President and Mississippi State confined their resolution to the actions of the professors and stated they should not be fired. The proposed amendment was defeated. There was discussion concerning the motivating factor for the attorneys advising the professors to keep the written statement of charges private and the possible violations that would be classified as computer abuse. The point was made that the process of the dismissals was the priority issue. There was a motion made and seconded to limit discussion to two seconds. This was a non-debatable motion. This motion was defeated. Concern was expressed about the length of the resolution and that the shorter version be adopted. Support for the longer resolution was expressed, particularly regarding the phrase, "Whereas, the faculty members of the University of Southern Mississippi have asked for the support of their colleagues in other colleges and universities". It was suggested to make this phrase in bold in the final resolution. A friendly amendment was offered to insert the phrase "high burden of proof that the two professors committed actions that would merit their termination". Also suggested to insert "the USM Faculty Handbook" in place of the word "rules". It states in the USM handbook that the Provost would begin the process followed by a closed hearing. Those amendments were not accepted. The resolution passed unanimously with three abstentions.

There were no officer or committee reports.

Meeting adjourned 5:05 PM