

# FACULTY SENATE

THE UNIVERSITY OF ALABAMA

## FACULTY SENATE MEETING

SEPTEMBER 21, 2004 – 3:30 PM – FERGUSON FORUM

### APPROVED MINUTES

**ABSENT WITHOUT ALTERNATE:** Wolfgang Bertsch, Jeff Richetto, Harold Elder, Margaret Garner, Caryl Cooper, Will Schreiber, Al Brophy

**ABSENT WITH ALTERNATE:** Grant Savage/Rob Morgan; Shuhua Zhou/Annabel Stephens; Dee Goldston/Carol Tieso; Jay Lindly/Bob Leland; Michael Parker/Joanne Terrell

**GUESTS:** Joanna Hutt, Dialog; Adam Jones, Tuscaloosa News; Jim Holliman, Professional Staff; Crimson White reporter; President Robert Witt

Roll call and quorum check by John Vincent.

The Faculty Senate meeting minutes of August 31, 2004 were approved.

With great sadness, President John Mason announced that Dr. Robert Garner, husband of Margaret Garner, died on his way to Houston. The Senate observed a moment of silence for Bob Garner. The funeral will be on Friday, and John will email further details to the Senate.

Following an introduction by John Mason, President Robert Witt addressed the Senate meeting. His comments began with the announcement that the official **enrollment** figure for 2004-05 is 20,969. The quality of enrolling students continues to improve. The average ACT score did remain constant, and high school GPA's are up. The Honors College has 530 enrolling freshmen. This is an increase of over 25%. Last fall the University had 52 National Merit scholars in the freshman class. This has increased to 90 plus this fall. Four out-of-state **recruiters** have been hired for the Dallas, Houston, Atlanta and Florida areas. These out-of-state recruiters will allow continued growth of the University without comprising quality. This will also assist efforts to enrich the revenue mix given that the out-of-state students pay 3.2 times the in-state tuition rate. Growth and enrollment increase from out-of-state recruitment this fall enabled the University to give faculty and staff merit salary increases from the largest merit raise pool in over a decade. A challenge facing the University will be the flat **high school graduation rate** in Alabama of three to four percent over the next decade. In 2002 the State of Alabama graduated several hundred less students than was graduated in 2001. Texas will have the fastest growth of high school graduates over the next decade of over 30% with Georgia and Florida having 25% growth rate. A point of concern is the University's dependence on state funding. The University is seeking a model of **financial resources** that will be more under the University's control such as tuition and enrollment increases. This will provide more resources for faculty and staff salary issues and other investments in the future of the University. Hurricane Ivan's destruction on the coast will alter the University's financial situation. The dependence on sales tax revenue is substantial, and the efforts to deal with the destruction from the hurricane will constrain the state's efforts for higher education. Sales taxes were running 7-

8% ahead of last year, but it now appears that higher education will not fare well due to the destruction on the coast. Slow but steady growth will become more important, however, that will not be at the expense of student quality. The University should do a better job capturing the indirect costs to which the University is entitled. The mindset needs to change that requesting less than the University is entitled to has an advantage. The University also should move away from **excessive cost sharing** which drives down the actual rate of indirect costs we are receiving from the federal government. This doesn't mean that the financial support that cost sharing provides cannot still be given to faculty. There are alternative ways of getting the same number of dollars to faculty in a way that do not suppress our indirect cost stream. The final figure on what receiving our full indirect cost meant to us this past fiscal year is not available but the approximate figure is three million dollars. At roughly 32 million dollars of **federal support** we as a faculty have the same amount of cost sharing as Johns Hopkins with over 300 million dollars of federal support. More staff will be in place to work with and support faculty and will continue to provide support that flowed from cost sharing in the past, but in the future it will come to faculty in a different way. There is a consultant on campus working with the University in the area of indirect costs. The University will begin petitions in Washington to increase the rates. Realistically the entire deficit will not be captured in one petition. Hopefully, a couple of percentage points will be added which will be extremely valuable. The construction programs on campus are on schedule. Fortunately, the University came through the effects of Hurricane Ivan in excellent shape. Contingency plans were in place in the event the storm caused extensive damage. The grounds crew did an incredible job of cleaning up the campus following the storm. The **residence halls** will be completed on schedule and will open in August. The Board of Trustees meeting was cancelled due to the hurricane and has been rescheduled for Sept. 30-Oct. 1. It is anticipated that at that meeting the next three residence halls will be approved and that they will open in the fall of 2006 with mandatory freshmen housing. This has been well received by the parents of potential students. The **bond sale** was successful selling \$229 million dollars worth of bonds in less than half a day. Within that figure is \$30 million dollars for **deferred maintenance**. The Provost is working with deans and physical plants to establish priorities to establish how best to invest those funds. There is a possibility that there will be federal funds available to support a second round of deferred maintenance. By increasing building user fees, it is hoped that another stream of funding would be available to support deferred maintenance. The aim of the University is to maintain the beauty of the campus with the construction of buildings, the revamping or destruction of older buildings and the continuing outstanding landscaping of the campus. Another issue that will be addressed is **campus safety**. The University has reported to the federal government that it has an above average rating in terms of safety. The safety of University students is foremost and the ability to attract above average students is related to the campus safety issue. Acquiring additional land will allow the University to grow without detracting from the beauty of the campus. There are two new **parking** decks opening this year. Consultants are addressing the possibility of a **bus program** for the campus. There are federal funds available for this project. This would allow parking on the fringes of campus. The key to success of this project would be dependable arrival of the buses. Questions from the senators included: "What can faculty and staff do to assist in recovering costs?" Dr. Witt answered that anyone interested should contact Marianne Woods and her staff. Moving away from cost sharing and requesting the allowed amount of monies are the two main issues. Another question was: "There was speculation that there would be a \$140 million dollar surplus in the Educational Trust Fund next year. Is there a ball park amount on the hit the Trust Fund will take due to Ivan?" Dr. Witt: There is not a figure available at this point. Given the extent of the damage on the coast it will be likely that the surplus will not materialize. Question: "Who pays the building user fees?" Dr. Witt: The sources of funding for deferred maintenance are the same funds available for hiring new faculty and faculty and staff merit raises, investing in labs, taking care of students. Modest and steady growth in

tuition and enrollment can provide a substantial pool of resources and those are obtainable objectives. If there is not an increase in building user fees, there will not be the revenue stream necessary to even keep up with the increases in deferred maintenance. Using debt will be the necessary way to deal with these costs. The University is at the point in some buildings that not addressing the cost of deferred maintenance is not merely dollars involved today. There will be penalties for not fixing those things that need to be fixed. We will keep those increases modest subject to the Board of Trustee's approval. Question: "Who pays the user fees?" Dr. Witt: Student fees. Question: "Are there plans to expand the faculty in relation to the increased enrollment?" Dr. Witt: In some areas that will be necessary. There is a portion of the growth that can be absorbed into the existing faculty by better utilizing classroom space. There is a 60 student capacity classroom that had seven classes scheduled with the largest having eleven students. A seminar room in Comer Hall with a 20-seat capacity was scheduled for four semester credit hours a week. The probability in the future may be for faculty to walk from one building to another to effectively use classroom space. There are efforts underway to standardize the technology support available, particularly in the larger classrooms, to avoid transporting equipment from building to building. Efforts will be made to keep inconvenience minimal. If the way to protect the ability to have good raises is to make better use of the University's physical resources, that is something that we will have to do. Question: "Will the parking situation on campus require closing some streets?" Dr. Witt: I would envision that if the bus project develops there would be multiple streets on campus that would be closed to anything other than pedestrians.

The first action item was a resolution from the Faculty Life Committee for the "**Establishment of a Natural Environment Preservation Committee**". Nick Stinnett and Wythe Holt presented this resolution for the consideration of the Senate. The concern is that the beauty and heritage of the University campus could be lost with the construction that is underway and planned for the future. The resolution addresses the critical need for a committee composed of faculty, staff and students and others with the charge of preserving the natural environment and monitoring the development of construction and other situations that could impact the campus. In the next to last clause "Be it resolved" on the third line, it was suggested to change the phrase "ex officio" members to "non voting" members. A concern was that if a new administration came about, the intent of this committee could be lost. Bob Moore made a motion to approve the resolution and it was seconded. The Senate approved the resolution unanimously.

The **Faculty Leadership Review** committee worked for several years on a faculty feedback survey for department chairs/heads and deans. It was used for the first time last January/February. There were 24 questions on the survey ranging from "The chair keeps faculty informed about pertinent issues that impact the faculty" to "The chair collaborates with faculty to create structures that facilitate responsible decision making". The first page of the report provides the University-wide means for all that provided feedback, the second page has means by minority status, the third page has means by gender, and the fourth page means by tenure status. The second handout was frequency distribution of chair means without identifying the chairs. The first question concerning keeping faculty informed had twelve department chairs received a perfect score of five. Nine received a score of less than three. Only the department chairs were supplied with this information contained in these reports. The sole purpose of the feedback survey was to assist the department chairs in becoming better leaders. The same process will be used next January to survey the deans, and the deans will be the only ones to receive the results. The Senate could change the process in the future if it so decides. Because of the work that Norm Baldwin and the Faculty Leadership Review committee in developing this project, a "Resolution Thanking Norm Baldwin and Other Members of the Faculty Leadership Review Committee for Their Work in the Development and Use of Instrument for

Obtaining Faculty Feedback on the Leadership of Deans and Department Heads/Chairs" was presented to the Senate. The Faculty Leadership Review committee consisted of Martin Bakker, Pat Bauch, Judy Berry-Stock, Scott Bridges, Catherine Davies, Garry Warren and graduate assistant Justice Kali with Norm Baldwin as Chair. The Faculty Senate funded the survey and without the dedication and hard work of Norm and the committee, this survey would not have been possible. The resolution was approved unanimously.

The "**Resolution for the Adoption of a University Policy Opposing Unacceptable Behavior Demeaning Individuals or Groups on Campus and Prohibiting the Use of University Funds or Facilities by Those Making Such Statements**" was presented to the Senate for discussion. The Faculty Life Committee composed the resolution as a result of a comedian performing on campus using derogatory, harassing and insulting statements against a University student. This resolution is requesting that the University develop a policy warning those making any type presentation on campus that defamation and demeaning type language is not acceptable. The Safe Zone group and Dr. Tom Strong, Dean of Students, provided the information concerning the incident contained in the resolution. It was expressed that the Senate should go on record that the incident on August 26, 2004, was a shameful example of bigotry and malicious aggression against a gay student and against all gay persons, that free speech is supported, that demeaning a person based on their affiliation or characteristics is wrong, that it is never appropriate to demean or promote hate or discrimination and recognize there are limits and boundaries, and that the University in its guidelines should recognize these issues and provide a method for commentary from interested persons. It was requested in the resolution that these policies be incorporated into any contract entered into by the University regarding participation in formal University programs. The question was asked if this matter has been resolved. The University has not made any public statement regarding the incident. The University states that this has been resolved due to not dealing with this issue publicly and that the student was satisfied. The point was made concerning the decision of what is offensive and not offensive. The resolution wording is in very broad terms. It was suggested that "student" be inserted between University and programs in the third paragraph from the end of the resolution. The Faculty Life committee (Wythe Holt and Nick Stinnett) accepted the amendment. This resolution is only a request that the University take the action brought forth in the resolution. The Senate can only recommend the action, not implement the action. The resolution passed with five abstentions.

John Dew has requested **faculty representatives** to serve on a committee charged with identifying and analyzing actual and potential issues related to the sustained increased student enrollment and to improve existing processes and/or develop new processes that will support growth enrollment of 28,000 over the next decade. This team will identify and resolve problems that would inhibit the goal of sustained growth including issues relating to course scheduling, enrollment, classroom utilization, course availability, auxiliary services and other vital student services. Faculty representation is needed on this committee. Cully Clark from Communications will chair the committee with members Hank Lazer of Academic Affairs, Rob Ingram of C&BA, Carmen Taylor of A&S, Joe Benson of A&S, Rebecca Powell of Distance Education, Ray Singleton of Engineering, Virginia Johnson of Auxiliary Services and Margaret King, VP for Student Affairs. Karen Steckol volunteered to serve.

The **Books for Baghdad** project has received stacks of books to send to the University of Baghdad and other Iraq institutions. The books will be stored in the Library Annex until the Jacksonville State University representatives pick them up for shipping.

Kirk Wilder was stabbed in the head on the front lawn of his fraternity house. It is next to

impossible for a University to prevent random attacks such as this. A campus cannot be sealed off from all persons. The preventive measures that have been made since the attack are that security guards be hired by the fraternities for every party and that no one would be admitted unless their name is on a guest list.

The meeting of the Board of Trustees was postponed due to Hurricane Ivan. The meeting will be held Sept. 30 and Oct. 1. A copy of the budget that the Trustees approve will be provided to the Senate at their next meeting. For the first time revenue from tuition will be about the same as revenue from state appropriation. The state takes funds from the University for teacher's retirement and Peehip.

Jim Holliman led the constitutional meeting of the Professional Staff meeting.

**Vice President's Report** – (*Mathew Winston*) Mathew reported that class sizes in the English department have already been increased. This was against the wishes of the English Department. This issue will be of increasing concern.

**Secretary's Report** – (*John Vincent*) No report.

**Academic Affairs** – (*Marcia Barrett & John Vincent*) This committee has met and is moving on some issues.

**Faculty Life** – (*Wythe Holt & Nick Stinnett*) A resolution concerning wellness is being developed by this committee. They are also reviewing the viability of Peehip being an alternative insurance program for the University. Notification about membership on University committees has been late and this problem was addressed by the Provost.

**Financial Affairs** – (*Wolfgang Bertsch & Karen Steckol*) This committee will be meeting Oct. 5 at 3:30 in 209 Bruno Library.

**Legislative Agenda Committee** – (*Margaret Garner*) Bob Sigler reported that the membership in the Higher Education Partnership needs participation from faculty members. A membership form can be found on the Government Relations web page.

Meeting adjourned 4:55 PM

### **Resolution for the Adoption of a University Policy Opposing Unacceptable Behavior Demeaning Individuals or Groups on Campus and Prohibiting the Use of University Funds or Facilities by Those Making Such Statements**

Whereas, on the evening of August 26, 2004, at a performance on campus to which the public was invited, a comedian hired by The University of Alabama used against a University student statements which were, and were intended to be, derogatory of gay persons, harassing and insulting both the student and all gay persons;

Whereas, the Faculty Senate of The University of Alabama on March 21, 2000, unanimously resolved that "The University of Alabama Faculty is dedicated to the creation and maintenance of a learning environment which respects and enhances the potential of all members of its community," that "acceptance of diversity in terms of race, ethnicity, religion, culture, gender, sexual orientation or physical challenges is critical to responsible leadership and citizenship," that "silence in response to individual and institutional racism, sexism, and bigotry, facilitates their perpetuation if not contagious expansion," and "that The University of Alabama

Faculty Senate reaffirms its commitment to promote respect for and appreciation and celebration of diversity in all aspects of University life";

Whereas, The University of Alabama Board of Trustees in September 2003 "Resolved that the Board embraces the development of a diverse learning environment, which enhances the quality of the educational product, and the Board applauds those individuals on each campus who have shown their dedication to increasing diversity";

Whereas, despite being theoretically committed to "programming that is free of bigotry and malicious aggression," the University was unprepared to deal with the August 26, 2004, incident, its officials on the spot failing to recognize at the time that the comedian's statements were bigoted and maliciously aggressive, and in its statements after the event to date failing explicitly to recognize that gay persons are a normal part of our University community along with everyone else;

Whereas, the University has commendably called this a "shameful incident" of "bigotry and malicious aggression" which was a "personal attack" upon a student, has commendably stated that this comedian "will not appear at UA again," and has commendably undertaken to review and revise its protocols concerning program presentation at the University "to prevent these kinds of incidents in the future";

Whereas, it is never appropriate to demean or reduce an individual based on group affiliation or personal characteristics;

Whereas, it is never appropriate to promote hate or discrimination;

Whereas, the faculty of The University of Alabama cherishes freedom of speech as a fundamental right and strongly advocates freedom of speech in all aspects of University life;

Whereas, the faculty of The University of Alabama recognizes that the right to freedom of speech is not absolute and is subject to both legal restrictions and standards of civility; and

Whereas, The University of Alabama has a duty reflected both in law and in standards of civility to control behavior which demeans or reduces an individual based on group affiliation or personal characteristics, or which promotes hate or discrimination, in all formal programs and activities;

Therefore, be it resolved by the Faculty Senate of The University of Alabama, that what occurred on Aug. 26, 2004, was a shameful incident of bigotry and malicious aggression against a gay student and against all gay persons;

Be it further resolved, that University officials in charge of student programming develop clear policies restricting any behavior which demeans or reduces an individual based on group affiliation or personal characteristics, or which promotes hate or discrimination, in any approved University program or activity, and that these policies be incorporated into any contract entered into by the University regarding participation in formal University student programs;

Be it further resolved, that while freedom of speech should be less restricted in activities that are not formally recognized or facilitated by the University, all members of the University community and guests should be encouraged to behave in a civil manner and to avoid any behavior which demeans or reduces an individual

based on group affiliation or personal characteristics or which promotes hate or discrimination; and

Be it further resolved, that representatives of the Faculty Senate and of other organizations on the University campus dedicated to opposing bigotry and malicious aggression be invited by the University administration to offer commentary on the proposed protocols at a time when such commentary can possibly be incorporated into the protocols.

Adopted by Faculty Senate

September 21, 2004

### **Resolution for the Establishment of a Natural Environment Preservation Committee**

Whereas The University of Alabama is endowed with one of the most beautiful, natural-environment campuses in the nation, and

Whereas this aesthetic quality is an intangible factor that attracts parents, students, and faculty to The University of Alabama, and

Whereas when certain aspects of the natural environment, such as the oak and other hardwood trees and natural undeveloped areas, are destroyed, that natural beauty is lost and even a partial replacement can require many years or be impossible, and

Whereas the development and construction of new buildings and infrastructure over time can result in the destruction of much or most of the natural beauty of the campus, giving an overwhelming sense of brick and mortar equivalent to urban universities and losing the distinctive heritage of natural beauty, and

Whereas The University of Alabama is in the midst of a period of heavy development and construction, such as the construction of several new residence halls, extending over the next few years, and

Whereas no individual or committee, including the Master Plan Committee, is charged with the specific mission or responsibility of preserving the beauty and integrity of the natural environment of The University of Alabama

Be it hereby resolved that a new university committee, the Natural Environment Preservation Committee, which will report to the President, be established and charged with the specific missions of preserving the beauty and integrity of the natural environment of The University of Alabama and its environs and with monitoring the environmental impact of construction and development, and

Be it also resolved that the Natural Environment Preservation Committee be composed of faculty, staff, and students (including the Landscape Architect for the University and a representative of Environmental Health and Safety as non-voting members) recommended by the Committee on University Committees and appointed by the President, with the majority of the committee being represented by faculty, and

Be it further resolved that the chair of the Natural Environment Preservation Committee have voting privileges on the Master Plan Committee.

Adopted by Faculty Senate

September 21, 2004