

**FACULTY SENATE MEETING
SEPTEMBER 20, 2011 – ROOM 110 AIME – 3:30 PM**

APPROVED MINUTES

ABSENT WITHOUT ALTERNATE: Phil Harris, Russell McCutcheon, Maha Marouan (sabbatical), Andreas Piepke, Lenka Nolan, Vijaya Sundar, Steve Miller, Steve Katsinas, Kagendo Mutua, Steve Thoma, Wayne Urban, Steve Emens, Paul Horwitz.

ABSENT WITH ALTERNATE: Priscilla Davis/Seth Appiah-Opoku; Carmen Mayer-Robin/John Blitz; Ed Back/Keith Williams.

GUESTS: Kathleen Andreen, Media Relations; Cresandra Smothers, Dialog; Stephen Swenson, SGA Representative.

Secretary Jeanette VanderMeer called roll and checked the quorum following remarks by UA President Robert Witt.

The minutes of the August 23, 2011 Faculty Senate meeting were approved with corrections.

Faculty Senate President Clark Midkiff introduced speaker UA President Robert Witt.

Dr. Witt began his remarks by stating The University of Alabama's colleges and schools are off to a good recruiting year with replacement faculty and new faculty additions. Provost Judy Bonner will have in excess of three million dollars to work with new positions and filling replacement positions as rapidly as possible.

The University has had a good year in terms of the merit raise pool. Hopefully there will be no proration this year, however, if there is proration the University has reserves in place to absorb it centrally preventing it from reaching the colleges and schools.

Student interest in the University is stronger this year than last year. In 2010 the University had just over 20,000 applications for admission with over 22,000 applications in the fall of 2011. Total enrollment for the fall of 2011 is 31,747 with 5,772 freshmen. This is 200 more enrolled freshmen than in 2010. The level of student growth will begin to level off when enrollment reaches the mid-30,000s. Last year National Merit Scholars numbered 125 ranking UA number six out of 600 public universities. This year UA has 182 National Merit Scholars in the freshman class. Twenty eight percent of 1,600 entering freshmen in 2011 had perfect academic high school records. Recruiting event attendance has increased over last year.

The campus construction program is on schedule and well within budget. The third Science and Engineering building will be ready to move in over the Christmas holidays. Everything is in place to begin the fourth Science and Engineering building. The University has been reviewing usage of the buildings on the Bryce property. The Environmental Health and Safety operation will be among the first to move to the Bryce property. The Board of Trustees has approved the construction of North Bluffs #2 residence hall and will be available for occupation in fall 2012. Rose Towers will be demolished providing building space for this residence hall and the stock of student housing will continue to improve. In the future a small amphitheater and a new combined recreation and dining facility will be constructed in the North Bluff area.

Parking issues on campus will be addressed with additional parking areas and decks.

The \$62 million reduction in State funding has been partially restored by eight million dollars this year and hopefully more will be restored in the future. The administration is optimistic that in the coming academic year Provost Bonner will have a recruiting budget to work with the Deans for additional faculty positions and additional merit raises.

The Alabama Legislature mandated effective October 1, 2011 the faculty and staff contribution to their retirement program will increase to 2 ¼% and a corresponding mandate for the University's contribution will be reduced. The University's reduction amount was moved to the merit raise pool. In October of 2012 the faculty and staff contribution will increase another one-quarter percent and the University's contribution will decrease another one-quarter percent with the University's amount again moved to the merit raise pool.

Overtime pay to individuals as they approach retirement being increased in their last two or three years of employment is being addressed by the State Legislature in light of the pressure on the State of Alabama's Retirement System. Unfortunately legitimate overtime pay may not fall into the category of being counted toward retirement. An example is the overtime worked by University Police during athletic events may not be counted toward retirement. The understanding of UA's administration at the present time is that supplemental pay, summer compensation and stipends through endowments will not be categorized as overtime.

One of the questions posed by a senator addressed the need for more bicycle racks on campus. A registration system is in place to aid in locating the owners of stolen bikes or bikes parked in banned spaces and removed by police. More racks will be installed and additional space provided in newly constructed parking areas.

One senator's concern was expressed concerning the allocation of dollars for new faculty positions between traditional tenure track and non-tenure track positions. Dr. Witt explained the allocation will be in the hands of the academic units receiving the positions. If the unit is under significant teaching load pressure, it may be necessary to look at terminally qualified non-tenure track people who are not expected to engage in scholarship and not be asked to perform significant administrative work to be able to have heavier teaching loads. The ideal is to have a high percentage of tenure and tenure-track and as low a percentage of other positions as possible. The number of non-resident students at the University continues to increase bringing in additional financial resources and stability.

The University of Alabama's professors and associate professors are very close to SUG's seventy-fifth percentile and work continues to bring assistant professors up to a higher level.

Dr. Witt addressed the question about having fall break and Thanksgiving a one week total holiday break. Out-of-state students need more traveling time, however, this falls two weeks before finals. This issue is being discussed but Dr. Witt feels the holiday breaks will remain the same.

President's Report – *(Clark Midkiff)* President Midkiff and the Research and Service Committee co-chairs were given a tour of the Bryce property and given information about future use of buildings on the property with focus on the relocation site of the Environmental Health

and Safety operation. It was brought to the Provost's attention that consultation with the proper committees concerning the relocation was bypassed.

Vice President's Report – (*Deidre Leaver-Dunn*) No report.

Secretary's Report – (*Jeanette VanderMeer*) No report.

Academic Affairs – (*Marcia Barrett & John Vincent*) The Academic Affairs Committee met the first Tuesday of the month. The SEC Faculty Award and the SEC Faculty Award selection procedures were priority items due to an October deadline for the proposed selection process criteria.

Faculty Life – (*Lowell Baker & Wesley Church*) The Faculty Life Committee met on September 6th and continues to discuss the disparities in nine and twelve month faculty maternity leave benefits. There is brief mention of the University's maternity leave policy on the Provost's web page. The Family Friendly Campus on the Provost's web page mentions some items that would make the University such a campus. Some items mentioned in the committee meeting were a smoke-free campus, Recreation Center family fees and child care. Many of the SEC institutions are smoke-free. This issue has been pursued in the past with a 30 foot ban around building entrances being established. All senators were encouraged to discuss the issue with their constituents.

Financial Affairs – (*Robert McLeod & Katrina Ramonell*) The Financial Affairs Committee has proposed a meeting with Lynda Gilbert, UA Vice President for Financial Affairs, for October 4th. The committee will be considering the issues of overtime and supplemental pay being counted toward retirement. Using the previous year's income to support the next year was the basis of the University budget in the past and the University has not returned to this practice is another issue the Financial Affairs Committee will be reviewing.

Information Technology – (*Carolyn Cassady & Brad Hodges*) The Information Technology Committee co-chairs met with John McGowan, Vice Provost of Information Technology, on September 2nd and the committee met on September 6th. Several issues brought to the attention of this committee were addressed in the meetings.

The first issue pertained to a software license costing \$40,000 annually primarily used by the Engineering and Physics Departments. A cost saving measure would be to purchase the license for the campus rather than per individual. The College of Arts & Sciences and the Office of Information Technology has agreed to provide part of the funding. A reversal of the College of Engineering's initial decision to decline participation is being sought.

After-hours computer support is contracted by the University with an outside company. The company handles about 100/200 calls per month with the University paying per call charges. Computer support is provided by telephone not on-site assistance. OIT would be contacted by the company in a dire emergency affecting a large number of employees. Some difficulties were reported concerning this arrangement.

A new help desk cryptic ticket system will go into effect at the first of the year. The new self-service system involves going online for guidelines.

Formulation of a policy regarding termination of email service for departing faculty is underway.

Storage for research data is being planned in accordance with National Science Foundation guidelines.

Campus-wide wireless coverage is completed although there are dead areas. Locations not receiving service should be communicated to John McGowan. There continues to be a large classroom issue concerning too many devices not being able to connect. The provision of better and improved wireless service is being established.

Departmental web site development service is provided by OIT, however, it is first come, first serve. Their staff is limited and the requests for assistance have been overwhelming.

The email problems encountered in August have apparently been resolved.

The future plans of Information Technology include network expansion, newer and more wireless access points, high performance computer initiative for undergraduates, new help desk ticketing system, more secure wireless and email and the installation of the new campus-wide emergency information system. This system will include emergency information both inside and outside buildings.

ACT card check-ins taking the place of clickers for student class attendance was discussed. This method would be more efficient but the installation cost would be \$2500 per door plus \$30 a month for phone service.

Research & Service – (*Ed Stephenson & Ian Stancu*) Environmental Health and Safety has many responsibilities among which are elevator safety, checking and recharging fire extinguishers, asbestos abatement, monitoring lab safety, chemical hygiene, radiation and biological safety. The relocation of EHS was problematic in many ways through as many as five different plans. The final decision to locate EHS on the Bryce property provides more space, a clean building and easier access. Radiation storage will be in Nott Hall Annex with building improvements already made and others to be made in the future.

Post-doctoral student raises are restricted to the years when raises are given to faculty in general. This policy was questioned since post-doctoral salaries come from grants in which salaries are stated but grant money comes to the University. In a meeting with Joe Benson, Vice President for Research, the committee was told this policy will be reviewed.

The appointments for post-doctoral students are limited to three years. This is an impediment to research projects due to collaborations and complex tasks. To switch to another post-doc student takes time and expense. The only alternative up to this time was to move the post-doc to a research position. The disadvantage to this is the fringe benefits go up by a factor two or more and the contribution from the grant toward retirement disappears into the system. The post-doc pays five percent but does not get that back. An acceptable policy would be to extend the appointment not for an indefinite time but for one or two years.

The third issue is the per diem rate for international travel which is more than inadequate. Forty-five dollars a day would not purchase much in a foreign city. The Alabama State Legislature sets the per diem rate. The committee will request Joe Benson to review this policy.

Faculty & Senate Governance – (*Rona Donahoe & Karen Steckol*) Russell McCutcheon has stepped down as co-chair of this committee due to a teaching conflict.

The Faculty and Senate Governance Committee submitted proposed changes to the Faculty Senate By-laws. There is conflicting language in the Faculty Senate Constitution and the Faculty Senate By-laws regarding Senate elections. In one place it is indicated nominations can be made from the floor at both the February and March meetings. Everything else in the paragraph indicates the procedure begins prior to February with people stepping forward announcing their candidacy with a letter of intent and the option of submitting a statement/platform to the secretary of the Senate by February 10th. Nominations can be made from the floor at the February meeting. The paragraph also states nominations can be made from the floor at the March meeting. The committee believes the original intent was to have nominations in February with candidates having an opportunity at the March meeting for speeches and the election to be held. The By-laws state, “The By-laws 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.” The changes are being submitted to the Senate at this September meeting for debate and review with possible debate and vote at the October Faculty Senate meeting.

“Regular faculty member” is used in the Faculty Handbook and the Faculty Senate Constitution. The definition in the By-laws is in conflict with the definition in the Faculty Handbook and the Faculty Senate Constitution. The By-laws define a regular faculty member as “one who is temporary or full-time who teach six or more hours per term on a continuing basis for three or more consecutive academic year terms” which would exclude department chairs and some faculty members. The Faculty Senate does not include faculty representation from every school or unit across campus. A special exception is made for Librarians since they do not teach at all but are full faculty and many are on tenure-track. The committee believes the original intent of the Faculty Senate was to make it as inclusive a body as possible. Methods to close nominations, the length and definition of an academic year and Faculty Senate representation appropriations were discussed. It was proposed to substitute “a regular academic year” or “a nine or twelve month appointment” in Section 8. Placing “academic” in parenthesis in the phrase “normal load during the regular (academic) year” in the By-laws was accepted. The proposed changes may be revised and voted on at the next Faculty Senate meeting. Those changes will be attached to the next meeting agenda.

In 2010 Mindy Nancarrow, Art History, and Walt Robbins, C&BA, rotated off the Mediation Committee. Two replacement members need to be elected to replace those rotating off. Janis Edwards, Communication Studies, and Karla Carmichael, Education, will need to be replaced in November. President Clark Midkiff sent an email to all faculty members asking for nominations. Those nominated are Elizabeth Aversa, School of Library & Information Studies; Alan Blume, CCHS; Jerry Busenitz, A&S (Physics & Astronomy); Susan Burkett, Engineering; James Cover, C&BA (Economics & Finance); Noel Engebretson, A&S (School of Music); and Elaine Martin, A&S (Modern languages & Classics). The Mediation Committee replacement election will be conducted by email.

Student Affairs – (*Melondie Carter & Seth Panitch*) A representative from the SGA will meet with this committee at their next meeting to discuss student issues. It was requested by John Vincent that the football stadium student seating policy be looked into by this committee.

Legislative Agenda – (*Margaret Garner*) Higher Education Day in Montgomery will be March 1, 2011. The Higher Education Partnership web page has information concerning membership.

Meeting adjourned 5:00 PM.

Proposed Changes to UA Faculty Senate By-Laws

Explanation: Article I, as currently written, is unclear about whether nominations for Senate officers can be made from the Senate floor during both the February and March meetings, or only at the February meeting. The Faculty & Senate Governance Committee believes that the original intent was for officer nominations to only be allowed from the floor of the Senate during the February meeting.

The following changes are recommended:

Article I. Senate Officers

In all elections of Senate Officers—President, Vice-President, and Secretary—elections will be by the vote of the majority of the senators voting, in the regular March meeting, as long as a quorum of the Senate is present. **Nominations and The** election of the Senate President will be completed before the **floor is opened for nominations election** for Vice President, and the election of the Vice President will be made before **nominations are received the election** for the Office of Secretary. Any senator interested in serving in one or more of these offices may submit a written statement of intention, with any supporting argument, not to exceed one page in length, to the Secretary of the Senate by February 10th of the year in which he or she hopes to commence office. The Secretary will distribute each such statement and supporting argument with the agenda for the February meeting of the Senate. Persons may also be nominated for these offices from the floor at the February meeting. A motion to close nominations, or the equivalent, is out of order. Each candidate will have an opportunity to speak to the Senate about his or her candidacy at the March meeting, and the Senate will have an opportunity to ask questions of each candidate.

Explanation: Section 8 defines a faculty member holding a “regular appointment”. This definition includes part-time instructors, but would not include full-time library faculty who typically do not teach any classes. The existing Senate By-Laws definition of a “regular appointment” is in conflict with the definition given in the Senate Constitution, and is therefore unconstitutional. Recommendation: Replace By-Laws Section 8 with the definition of a regular appointment given in the Constitution, Article III, modified to reflect faculty category terminology used in the Faculty Handbook.

Section 8. Faculty Holding Regular Appointments.

A faculty member holding a regular appointment is **a tenured, tenured-earning probationary, or**

temporary faculty member someone who is tenured, tenure earning, or a temporary full- or part-time instructor at The University of Alabama. Temporary full- or part-time instructors are individuals who teach six hours or more per term on a continuing basis (three or more consecutive academic-year terms, including the most recent completed term) who do not hold tenure or are tenure earning at another institution of higher education. engaged in teaching or research at least half of a normal load during the regular year, or a librarian having corresponding rank and professional engagement.

Faculty Senate Constitution

ARTICLE III. APPORTIONMENT OF SENATE REPRESENTATION

Each division of the University, including colleges, schools, and the University Libraries, is represented in the Faculty Senate by one senator for each twenty persons, or fraction thereof, serving on the date of the election under a **regular appointment** as an instructor, assistant professor, associate professor, or professor engaged in teaching or research at least half of a normal load during the regular year, or a librarian having corresponding rank and professional engagement. Each division of the University shall elect alternate senators in a number equal to the number of its senators. Such alternate senators can substitute for any senator within the alternate's division of the University on request of the Senator. When serving for a senator, an alternate may perform any of the functions of a senator with the full power of the senator. No senator may be represented by other than a duly elected alternate from the same division of the University. A person holding a joint appointment involving more than one division must choose the division through which to participate in senate representation. The dean or corresponding administrative officer of each division will be responsible for certifying the number of persons who qualify under this section to be counted in determining the number of senators for the division.

ARTICLE IV. ELECTIONS

The divisions of the University will hold elections for Senators and alternates by secret ballot during the last two weeks of February or the first two weeks of March, for a term of two years commencing April 1. In the divisional elections nominations may be made anonymously or from the floor. Only **regular faculty members** as defined in Article III are eligible for election to the Senate. However, the faculty of each division may determine who is eligible to vote in its particular election and in making this determination is not governed by the factors of eligibility to be counted for apportionment purposes under Article III. The faculty of a division either may elect its senators at large or assign them for election by any arrangement of faculty subgroups as determined by faculty vote. The dean or corresponding administrative officer of each division will conduct the election. Except for

Special elections, election as a senator is for a two year term of office and to replace those senators whose terms are expiring. The Senate Secretary will notify the deans of the divisions by February 14 of the number of Senate vacancies which will occur that year in each division. The term of office for a senator elected in a Special election is for the remaining portion of the term of the senator being replaced.