

FACULTY SENATE MEETING

DECEMBER 14, 2021 – 3:30 PM – HEWSON HALL

APPROVED MINUTES

ATTENDANCE: Julia Bannerman, Sheila Black, Serena Blount, Seth Bordner, Spyridoula (Litsa) Cheimariou, Kim Colburn, Alexis Davis Hazell, Susan Dewey, Rona Donahoe, Amanda Espy-Brown, Brittany Gilmer, Courtney Helfrecht, Kim Lackey, Matthew Lockwood, Christopher Lynn, Lyndell McDonald, Moises Molina, Luke Niiler, Shanlin Pan, Rainer Schad, Edith Szanto, Alexandre Tokovinine, Bulent Tosun, Laura Erin Watley, Yong Zhang, Tom Baker, Doug Bish, Todd DeZoort, Chapman Greer, Ruth Ann Hall, Matthew Hudnall, BC Kim, Brian Britt, Cynthia Peacock, Bharat Mehra, Steven Yates, Nelle Williams, Andrea Wright, Joy Burnham, Nirmala Erelles, Michael Lawson, Sara McDaniel, John Petrovic, Stephanie Shelton, Nicole Swoszowski, Jaber Abu-Qahouq, Xiaoyan Hong, Sundar Krishnan, Patrick Kung, John Van Zee, Jialai Wang, John Latta, Carla Blakey, Barbara “Babs” Davis, Amy Ellis, Yeon Ho Shin, Jeri Zemke, Heather Elliott, Barbara Dahlbach, Russell Peterson, Michael Callihan, Susan Appel, Rebecca Owings, Kim Parker, Leah Cheatham, Amy Traylor, Robert Riter (Parliamentarian).

GUESTS: Brad Porter (PSA), Hank Lazer (TUARA), Laura Braddick (Strat Com).

ABSENT: Paulo Araujo, Ibrahim Cemen, Jeremy Crawford, Nathan Loewen, Alessandra Montalbano, Regina Range, Tyler Sasser, Bo Zhang, Jennifer Dempsey, Mary Stone, Alyx Vesey, Cecily Collins, Suzanne Henson, Tracy Hinton, Sriram Aaleti, Sushma Kotru, Weihua Su, David Taylor, Paul Horwitz, Dan Joyner.

Roll Call and quorum check by Faculty Senate Secretary Barb Dahlbach.

The Faculty Senate meeting minutes of November 16, 2021 were approved with corrections.

President’s Report – (*Chapman Greer*) Russ Mumper, Vice President for Research and Economic Development, and Matt Fajack, Vice President for Financial Affairs, will be speakers for the meeting of the Faculty Senate on January 18, 2022.

The location/method of meeting for the Faculty Senate will depend on the status of the Covid/Omicron virus.

The resolutions against attacks on academic freedom will be considered at the end of the meeting. The vote will be administered, counted and verified by the Faculty and Senate Governance Committee. The vote by the Faculty Senate on the two resolutions will be for discussion and to determine which of the resolutions will go forward or if any resolution will go forward.

Vice President’s Report – (*Matthew Hudnall*) No report.

Faculty Senate Secretary’s Report – (*Barb Dahlbach*) Secretary Dahlbach proposed conducting roll call via Qualtrics. This would save the seven to eight minutes taken by a voice roll call. This proposed change was presented at this meeting for a vote to be taken at the January meeting of the Faculty Senate since the change would need a revision of the Faculty Senate bylaws.

Community & Legislative Affairs – (*Steven Yates & Joy Burnham*) The Legislative Reception will be held January 31, 2022. There will be further announcements concerning time and place of the meeting.

There is a coat drive being conducted by the Professional Staff Assembly and the Office, Clerical and Technical Staff Assembly to benefit Temporary Emergency Services of Tuscaloosa.

Faculty Life – (*Heather Elliott & Ruth Ann Hall*) The Faculty Life Committee is conducting research of all aspects of establishing child care with the goal of developing a proposal to present to administration the facts and statistics to support this effort.

Research & Service – (*Shanlin Pan & Douglas Bish*) The Research and Service Committee is addressing the intellectual property issue along with the research buyout process. The committee is looking at center and institute investment and research support. Proposed Faculty Handbook changes are being reviewed. Vice President for Research and Economic Development, Russ Mumper, will speak to the Faculty Senate meeting in January.

Financial Affairs – (*Mary Stone & Byung-Cheol Kim*) No report.

IT & Strategic Communications – (*Patrick Kung & Nathan Loewen*) The committee reminded everyone that beginning December 16, everyone must use their MyBama ID and password to log in to Zoom.

Student Life – (*Amy Traylor & Jennifer Dempsey*) Appreciation was expressed to those donating to UA's Reach program.

The committee has met with Dr. Myron Pope, Vice President of Student Life, and was informed a written manual is being composed giving the policy to be followed for Homecoming Queen elections.

Faculty & Senate Governance – (*Ibrahim Cemen & Jeri Zemke*) This committee will administer the vote on the two resolutions addressing the attacks on academic freedom.

The committee is calling for nominations to replace Cathy Pagani as the Ombudsperson since Pagani is retiring December 31, 2021.

Academic Affairs – (*Rona Donahoe & Babs Davis*) The Academic Affairs Committee reviewed draft intellectual and copyright policies, providing feedback recommending that 'work-for-hire' be explicitly defined, a minimum 50% share of royalties, fees and other financial returns for faculty/staff be reinstated, how the IPPC (Intellectual Property Patent Committee) should be staffed, the 'Success Fee' should be capped at no more than 2x the actual patent search/application expenses incurred by the University, a provision for royalty splitting with another institution be added, UA provide better support for faculty inventors and businesses and these policies remain part of the Faculty Handbook.

The resolutions concerning academic freedom and freedom of expression approved by the AA/DEI Committees and the Steering Committee will be discussed and voted upon.

Resolutions – Following discussion concerning friendly amendments and rules of order, the ballots (voting on the resolution the Faculty Senate wished to move forward) were counted resulting in 30 votes in favor to move the Academic Affairs/Diversity, Equity and Inclusion resolution forward; 21 in favor of moving Steering Committee resolution forward and 13 to not move any resolution forward. The floor was opened for discussion and friendly amendments with rules of order given by Parliamentarian Robert Rider. Following extended discussion, opinions, revisions and suggestions, the following resolution was passed (38-15) and will be forwarded to Provost Dalton:

The Resolution in Defense of Academic Freedom was passed by the Faculty Senate at the December 14, 2021 meeting.

Faculty Senate of the University of Alabama Resolution in Defense of Academic Freedom

WHEREAS, The Board of Trustees of The University of Alabama recently released a “Resolution Recognizing Commitment to Freedom of Speech and Expression;” and

WHEREAS, The Board resolved that “the Board, and each of its campuses, is committed to free and open inquiry and expression for members of its campus communities-faculty, staff, and students” and recognized “it is not the proper role of an institution to shield or attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive;” and

WHEREAS, The Board resolved to continue to exercise its broad power, granted by the Constitution of Alabama, to manage and control the institution’s activities, affairs, operations, business, and property. See Ala. Const. Art. XIV, §264, as amended by Amendment 399. See *also* Ala. Code §16-47-34; Opinion of the Justices, 417 So.2d. 946, at 947 (Ala. 1982); Opinion of the Alabama Attorney General 2019-029 (March 20, 2019); and

WHEREAS, Freedom of Speech and Expression under the First Amendment is foundational to academic freedom which is a “transcendental value” entitled to protection by the First Amendment (See *Keyishian v. Bd. of Regents*, 385 U.S. 589 (1967)); and,

WHEREAS, our students’ opportunity to maximize their intellectual potential depends in large part on the ability of faculty to employ academic freedom and freedom of expression in their pedagogy; and,

WHEREAS, in 2004 the University of Alabama’s Faculty Senate defended the ideal of academic freedom in a resolution stating that “the purpose of academic freedom is to allow college and university professors to develop knowledge and to challenge existing truths by thorough investigation and by speaking and writing about their findings and theories” (p. 1, para. 1); and,

WHEREAS, it is the continuing obligation of the Faculty Senate at The University of Alabama to uphold and defend this basic ideal; and,

WHEREAS, any pending legislation in the Alabama legislature that infringes on academic freedom and expression is anathema to this ideal and contradicts existing law and precedents as cited above; therefore,

BE IT RESOLVED that the Faculty Senate at The University of Alabama expects the President to acknowledge that The University of Alabama opposes proposed and future legislation that undermines academic freedom and, therefore, the historic purpose of higher education, and expects the Board of Trustees to maintain its stated commitment to academic freedom; and,

BE IT FURTHER RESOLVED that, in the event such legislation passes, the Faculty Senate at The University of Alabama urges the President, Administration, and Board of Trustees to heed and appeal to long-held precedent set by the Supreme Court of the United States affirming the importance of academic freedom. See *Sweezy v. New Hampshire*, 354 U.S. 234 (1957); *Keyishian v. Bd. of Regents*, 385 U.S. 589 (1967).

Meeting adjourned at 5:24