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Faculty Senate Meeting Minutes – February 2017

Faculty Senators

University of South Alabama

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UNIVERSITY OF SOUTH ALABAMA
Faculty Senate

February 15, 2017 – Faculty Club - 3:00 pm
Minutes

Attending: Joyce Varner, Ron Morgan, Saami Yazdani, Elizabeth Vandawaa, Wito Richter, Phil Carr, Matt Campbell, Ellen Wilson, Justin St. Clair, Kelly Woodford, Chris Freed, Phillip Smith, James VanHaneghan, Tom Rich, Clista Clanton, Sam Stutsman, Brad Swiger, Neil Schwarz, Linda Reeves, Matthew Reichert, Leslie Whiston, Ellen Harrington, Rebecca R. Williams, J. T. McDonald, David Bourrie, Sam Fisher, K. Gecewicz, J. Cleary, Terrie Platt, E. Allison, Laureen Fregeau, Patricia Mark, Andrei Pavelescu, Terry Grant, Gene Cioffi, Juan Mata, Mikhail Alexeyev, Mark Taylor, Kumar Palle, Laura Moore, Natalie Bauer, Ted Poston

Excused: Mark Gillespie, Bill Gillis, Sinead Ni Chadhain, Nick Gossett, Bettina Riley, Jason Brooks, Michael Chinkers, Grant Glover, Tracy O'Connor, Gary Piazza, Cherie Pohlmann

Call to order by Sam Fisher 3:06

Approval of minutes: January 2017 meeting ; motion to approve the minutes; 2nded. Carries.

Approval of agenda: motion to approve; seconded; carries.

President's Report

Searches

- Executive Director Library: offer made, verbal acceptance.
- Dean, Honors College: interviewing on Skype, narrowing to on campus
- Dean and VP, Graduate School: Met with Parker; moving forward.
- Dean, Nursing: Met with Parker; moving forward. Ad posted.
- Vice President, Development: Met with third candidate today; 4th dropped out. Good candidates. Desire to see more engagement from faculty. Cannot depend upon state legislature, need to drum up revenue where possible.

Continuing Education / Global USA change: Everyone should have received an email. International part shifting; should be an improvement. Questions have come up about who people report to. Question about weekend college.

Retreat: Dauphin Island Sea Lab with all the Deans and VPs. A good session. Questions about how to support graduate education, and growth of administrative positions.

Concur and Finance: met with staff to resolve a few issues, such as what sort of documentation we need to submit in order to get reimbursement, as well as kinks in the software program.

Regular meetings with Admin: if you notice issues in your units, circle them up to us and we will pass them on.

Announcements

- Faculty Senate Head Count and Elections
 - Need full time faculty headcount for fall. Need projected head count, including chairs, not including deans.
 - COE HC=62, as of 02-16-17
 - NURSING=97, as of 02-16-17
 - A&S=260, as of 02-16-17
 - Libraries= ML = 12 Librarian (all tenure-track)
 - BioMed = 8 (all tenure-track)
 - McCall = 0
 - MCOB = 1 (non-tenure track)
 - Engineering=47, as of 02-17-17
- FS End of Year Party: Moe's Wednesday, April 19th at 6:00pm. Vegetarian option brought in.
- Personal Finance Seminars: See Announcement
- A&H seed grant/Research and Scholarly Development applications due 3/1 and the Graduate Student Activities enhancement (rolling deadline); More information can be found on the Research Development and Learning Webpage

Old Business

Grievance Policy (Passed A&S, and Dean's council, waiting for confirmation in Handbook)

Civil Campus Statement (Retooling---Sam working with Jeannie Maes, hopes to have something by the end of the semester.)

Resolution: Sabbatical Policy (voted in Senate; waiting to hear back from Dean)

COM Extended Tenure (haven't heard anything about that)

New Business

- Tenure Termination Policy Revision:

Presentation of policy revisions focused on amplifying the cause for termination (i.e. "crucial" and "egregious")

Question: should "commission" be "conviction" of a felony?

Answer: Yes.

Question: “About continued in their duties” and salary.

Answer: points to question about “up to one year” and need to revise it.

- Vote on Keith Harrison Emeritus Dean Status: [amended notation initially postponed to March, but rolled into an electronic vote 02-16-17].
- FS Statement in Support of Higher Ed: Description of purpose followed by request for FS support. Questions/criticisms raised about need for promotion, the purpose of statement, and efficacy. Requests made for concrete recommendations for improvement. Motion to vote. 2nded. Vote carries in favor; 1 “nay.”

Guest Speakers

Nicole Carr: Information related to student success. Institution still has not broken 40% graduation rate. All states have jumped into “Complete College America”---Complete degree in 4 years will be coming through the pipeline.

Degree Works—Plans Tool inside degree work. Accessed through Paws, just like Degree Works. Use Degree Audit. Plan to have these attached to all incoming Freshmen, in order to give term-by-term. Creation of Milestones in Departments.

Emails: degreeworks@southalabama.edu (Tammy Vance)

Question: For Full time students? Not Part time students?

Ans: Full time only

FS President: If your department is having an issue with getting deans, chairs and First Year Advising to be on same page, call the Frist year Advisor.

NCarr: SSC Campus has trail of notes about chain of advice, which faculty can access.

Katherine from First Year Advising: 8 advisors, couple of directors, dedicated person to Pathway USA. Meet with students in 30min segments; describes role as advocacy for students.

Faculty Quiz Bowl: Beth Shepard presents on behalf of ILC to ask for teams of 4; teams competing against each other. 1st exposition match coming soon.

Alyssa Walter on behalf of ILC to talk about COTL May 8 and 9: calls for papers now open.

Motion to Adjourn: Made; 2nded.

Committee Reports & Caucus Reports – Submitted in Writing

Faculty Handbook 3.15.4 (Chapter 3, Page 105)

Original:

Termination of continuous appointment, for cause, or the dismissal for cause of a faculty member, previous to the expiration of term appointment if possible should be considered by both a faculty committee and the governing board of the institution. In all cases where the facts are in dispute, the accused faculty member should be informed before the hearing in writing of the charges against him/her and should have the opportunity to be heard in his/her own defense by all bodies that pass judgment upon the case. He/she should be permitted to have with him/her an advisor of his/her own choosing who may act as counsel. There should be a full stenographic record of the hearing available to the parties concerned. In the hearing of charges of incompetence the testimony should include that of faculty members, either from his/her own or from other institutions. Faculty members on continuous appointment who are dismissed for reasons not involving moral turpitude should receive their salaries for at least a year from the date of notification of dismissal whether or not they are continued in their duties at the institution.

Termination of a continuous appointment because of financial exigency should be demonstrably bona fide.

Suggested Revision:

Tenured and non-tenured faculty members may be terminated “for cause”. “For cause” includes, but is not limited to, moral turpitude, commission of a felony, egregious failure to perform crucial professional duties, incompetence or unethical behavior including violations of academic or research integrity. Financial exigency may also cause termination of a faculty member. Cases involving violations of research integrity will first be evaluated according to the Scientific Misconduct Policy (<http://southalabama.edu/researchcompliance/pdf/researchmisconductpolicy.pdf>).

Termination for cause will be considered by a faculty committee appointed by the Provost from the Grievance Committee Pool (sections 4.2.5 and 4.2.6). The committee will notify the faculty member in writing of the cause(s) for the termination action, **and the faculty member will be given the opportunity to be heard by the committee. The faculty member will receive notice of at least ten working days to prepare a defense before the hearing.** The faculty member will be permitted to have an advisor of his/her own choosing who may act as counsel. A full stenographic record of the hearing will be made available to the parties concerned. The hearing may include the testimony of faculty members and/or others **[deleted: either from this university or from other institutions].**

Ellen Harrington 2/15/2017 10:44 AM
Comment [1]: No time period between notification and hearing is specified.

Following the conclusion of the hearing, the committee shall meet in executive session, with all other persons excluded. **There will be no stenographic record of the executive session.** In this session, the committee shall prepare a recommendation to the Provost. Upon review, the Provost will make his/her recommendation to the President.

- Termination of non-tenured faculty must be approved by the President.
- Termination of tenured faculty must be approved by the Board of Trustees.

Termination of faculty members for cause cannot be appealed.

Faculty members on continuous appointment who are dismissed for failure to perform assigned duties may receive their salaries for **up to a year [replaced: at least one year]** from the date of notification of dismissal whether or not they are continued in their duties at the institution.

Termination of a continuous appointment because of financial exigency must be demonstrably bona fide.

The AAUP's 1958 Statement on Procedural Standards in Faculty Dismissal Proceedings (**updated in 1990**) as printed below has been endorsed by the University of South Alabama. Where the University policy differs with AAUP Policy, the University policy supersedes and prevails.

[1990 version, which removes gender-specific language, is below.]

Introductory Comments

Any approach toward settling the difficulties which have beset dismissal proceedings on many American campuses must look beyond procedure into setting and cause. A dismissal proceeding is a symptom of failure; no amount of use of removal process will help strengthen higher education as much as will the cultivation of conditions in which dismissals rarely, if ever, need occur.

Just as the board of control or other governing body is the legal and fiscal corporation of the college, the faculty is the academic entity. Historically, the academic corporation is the older. Faculties were formed in the Middle Ages, with managerial affairs either self-arranged or handled in course by the parent church. Modern college faculties, on the other hand, are part of a complex and extensive structure requiring legal incorporation, with stewards and managers specifically appointed to discharge certain functions.

Nonetheless, the faculty of a modern college constitutes an entity as real as that of the faculties of medieval times, in terms of collective purpose and function. A necessary precondition of a strong faculty is that it have first-hand concern with its own membership. This is properly reflected both in appointments to and in separations from the faculty body.

Ellen Harrington 2/15/2017 10:44 AM

Comment [2]: The Handbook reprints the AAUP Statement on Procedural Standards in Faculty Dismissal Proceedings with this introduction. The 1958 standards were updated in 1990 version. The new version removes gender-specific language but otherwise preserves the policy. The new language is inserted below.

A well-organized institution will reflect sympathetic understanding by trustees and teachers alike of their respective and complementary roles. These should be spelled out carefully in writing and made available to all. Trustees and faculty should understand and agree on their several functions in determining who shall join and who shall remain on the faculty. One of the prime duties of the administrator is to help preserve understanding of those functions. It seems clear on the American college scene that a close positive relationship exists between the excellence of colleges, the strength of their faculties, and the extent of faculty responsibility in determining faculty membership. Such a condition is in no way inconsistent with full faculty awareness of institutional factors with which governing boards must be primarily concerned.

In the effective college, a dismissal proceeding involving a faculty member on tenure, or one occurring during the term of an appointment, will be a rare exception, caused by individual human weakness and not by an unhealthy setting. When it does come, however, the college should be prepared for it, so that both institutional integrity and individual human rights may be preserved during the process of resolving the trouble. The faculty must be willing to recommend the dismissal of a colleague when necessary. By the same token, presidents and governing boards must be willing to give full weight to a faculty judgment favorable to a colleague.

One persistent source of difficulty is the definition of adequate cause for the dismissal of a faculty member. Despite the 1940 Statement of Principles on Academic Freedom and Tenure and subsequent attempts to build upon it, considerable ambiguity and misunderstanding persist throughout higher education, especially in the respective conceptions of governing boards, administrative officers, and faculties concerning this matter. The present statement assumes that individual institutions will have formulated their own definitions of adequate cause for dismissal, bearing in mind the 1940 Statement and standards that have developed in the experience of academic institutions.

This statement deals with procedural standards. Those recommended are not intended to establish a norm in the same manner as the 1940 Statement of Principles on Academic Freedom and Tenure, but are presented rather as a guide to be used according to the nature and traditions of particular institutions in giving effect to both faculty tenure rights and the obligations of faculty members in the academic community.

Procedural Recommendations

1. Preliminary Proceedings Concerning the Fitness of a Faculty Member. When reasons arise to question the fitness of a college or university faculty member who has tenure or whose term appointment has not expired, the appropriate administrative officers should ordinarily discuss the matter with the faculty member in personal conference. The matter may be terminated by mutual consent at this point; but if an adjustment does not result, a standing or ad hoc committee elected by the faculty and charged with the function of rendering confidential advice in such situations should informally inquire into the situation, to effect an adjustment, if possible, and, if none is effected, to

determine whether in its view formal proceedings to consider the faculty member's dismissal should be instituted. If the committee recommends that such proceedings should be begun, or if the president of the institution, even after considering a recommendation of the committee favorable to the faculty member, expresses the conviction that a proceeding should be undertaken, action should be commenced under the procedures that follow. Except where there is disagreement, a statement with reasonable particularity of the grounds proposed for the dismissal should then be jointly formulated by the president and the faculty committee; if there is disagreement, the president or the president's representative should formulate the statement.

2. Commencement of Formal Proceedings. The formal proceedings should be commenced by a communication addressed to the faculty member by the president of the institution, informing the faculty member of the statement formulated, and also informing the faculty member that, at the faculty member's request, a hearing will be conducted by a faculty committee at a specified time and place to determine whether he or she should be removed from the faculty position on the grounds stated. In setting the date of the hearing, sufficient time should be allowed the faculty member to prepare a defense. The faculty member should be informed, in detail or by reference to published regulations, of the procedural rights that will be accorded. The faculty member should state in reply whether he or she wishes a hearing, and, if so, should answer in writing, not less than one week before the date set for the hearing, the statements in the president's letter.
3. Suspension of the Faculty Member. Suspension of the faculty member during the proceedings is justified only if immediate harm to the faculty member or others is threatened by the faculty member's continuance. Unless legal considerations forbid, any such suspension should be with pay.
4. Hearing Committee. The committee of faculty members to conduct the hearing and reach a decision should be either an elected standing committee not previously concerned with the case or a committee established as soon as possible after the president's letter to the faculty member has been sent. The choice of members of the hearing committee should be on the basis of their objectivity and competence and of the regard in which they are held in the academic community. The committee should elect its own chair.
5. Committee Proceeding. The committee should proceed by considering the statement of grounds for dismissal already formulated, and the faculty member's response written before the time of the hearing. If the faculty member has not requested a hearing, the committee should consider the case on the basis of the obtainable information and decide whether the faculty member should be removed; otherwise, the hearing should go forward. The committee, in consultation with the president and the faculty member, should exercise its judgment as to whether the hearing should be public or private. If

any facts are in dispute, the testimony of witnesses and other evidence concerning the matters set forth in the president's letter to the faculty member should be received.

The president should have the option of attendance during the hearing. The president may designate an appropriate representative to assist in developing the case; but the committee should determine the order of proof, should normally conduct the questioning of witnesses, and, if necessary, should secure the presentation of evidence important to the case.

The faculty member should have the option of assistance by counsel, whose functions should be similar to those of the representative chosen by the president. The faculty member should have the additional procedural rights set forth in the 1940 Statement of Principles on Academic Freedom and Tenure, and should have the aid of the committee, when needed, in securing the attendance of witnesses. The faculty member or the faculty member's counsel and the representative designated by the president should have the right, within reasonable limits, to question all witnesses who testify orally. The faculty member should have the opportunity to be confronted by all adverse witnesses. Where unusual and urgent reasons move the hearing committee to withhold this right, or where the witness cannot appear, the identity of the witness, as well as the statements of the witness, should nevertheless be disclosed to the faculty member. Subject to these safeguards, statements may, when necessary, be taken outside the hearing and reported to it. All of the evidence should be duly recorded. Unless special circumstances warrant, it should not be necessary to follow formal rules of court procedure.

6. Consideration by Hearing Committee. The committee should reach its decision in conference, on the basis of the hearing. Before doing so, it should give opportunity to the faculty member or the faculty member's counsel and the representative designated by the president to argue orally before it. If written briefs would be helpful, the committee may request them. The committee may proceed to decision promptly, without having the record of the hearing transcribed, where it feels that a just decision can be reached by this means; or it may await the availability of a transcript of the hearing if its decision would be aided thereby. It should make explicit findings with respect to each of the grounds of removal presented, and a reasoned opinion may be desirable. Publicity concerning the committee's decision may properly be withheld until consideration has been given to the case by the governing body of the institution. The president and the faculty member should be notified of the decision in writing and should be given a copy of the record of the hearing. Any release to the public should be made through the president's office.
7. Consideration by Governing Body. The president should transmit to the governing body the full report of the hearing committee, stating its action. On the assumption that the governing board has accepted the principle of the faculty hearing committee, acceptance of the committee's decision would normally be expected. If the governing

body chooses to review the case, its review should be based on the record of the previous hearing, accompanied by opportunity for argument, oral or written or both, by the principals at the hearing or their representatives. The decision of the hearing committee should either be sustained or the proceeding be returned to the committee with objections specified. In such a case the committee should reconsider, taking account of the stated objections and receiving new evidence if necessary. It should frame its decision and communicate it in the same manner as before. Only after study of the committee's reconsideration should the governing body make a final decision overruling the committee.

8. **Publicity.** Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements about the case by either the faculty member or administrative officers should be avoided so far as possible until the proceedings have been completed. Announcement of the final decision should include a statement of the hearing committee's original action, if this has not previously been made known.

Faculty Senate Statement in Support of Higher Education

Citizens in the United States of America and the State of Alabama established the first publicly supported universities 150 years ago. Our predecessors believed that education fosters excellence in individuals and the good of the community, and their foresight helped put America on the path to greatness.

Philosophers of antiquity hailed education as a hallmark of human culture and civilization. Education affords us the opportunity to reason together about our way of life and how to improve it; this differentiates human beings from the other animals. Socrates maintained that education was the key to a harmonious society. Without it, we would not be able to use our experience and external goods for progress.

As American philosophers have pointed out, the more complex a society, the more that society must rely upon formal education for managing resources to maximize achievements. Through institutions of higher learning, people train for their vocations in scientific and artistic endeavors, effective citizenship, business, and other occupations.

Equally important for the American tradition, higher education provides opportunities for us to cultivate civic values and share our national ideals. In the quest for human advancement, public higher education strives to transform cultural and ideological divisions into productive debates. In seeking the best ideas from our communities and around the globe, higher education calls innovation from diversity.

As we see here in Mobile, Alabama, publicly supported institutions of higher learning play integral roles at the state and local levels. They offer people from all backgrounds opportunity, a means to innovate, to improve their condition, and to enrich their environment.

As we celebrate Higher Education Day, members of the Faculty Senate at USA would like to express our dedication to our public mission and to the community we serve. We look at our students with pride as they become the next generation of local and global leaders. We would also like to express our profound gratitude for continued public investment in higher education, and the broad community support that has made the University of South Alabama, and its students, such a success.

Caucus Reports

College of Nursing
Caucus Report
Dr. Joyce Varner, Caucus Leader
02/14/2017

The faculty of the CON met on 2/13 with Dr. Gregory Frazer, Dean of Allied Health and Chair of the search committee for a new Dean. Dr. Frazer provided a job description that should be up on the USA website in a couple of days. Applicant interviews by the search committee will begin the second week of April. The new Dean will begin serving summer semester.

COE Caucus Report February, 2017

Laureen Fregeau, Caucus Leader

The College of Education faculty was informed on 2/9/2017 that Adult Interdisciplinary Studies and Hospitality and Tourism will become part of our college effective immediately. Professional Studies secondary suite will be vacated and become the housing for both programs' faculty and staff.

Announcement

Personal Finance Seminars

The seminars are intended for USA students, admission is free and free pizza will be served. Any additional questions can be directed to me.

Here is the link with details, if needed

<http://www.southalabama.edu/colleges/mcob/creed/events.html> and attached is a flyer for your information.

Below is a snapshot of the most important facts:

Topics:

Thursday, February 23

Staying Money-Wise During College

Keeping your student loans and college-life spending in check.

Thursday, March 2

Managing Your Money After Graduation

The car, the house, or the ring? Making responsible money decisions with your first paycheck.

Time & Location *(same for each seminar)*

11:00 am -12:00 pm

MCOB, Room 264