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Faculty Senate Meeting Minutes – March 2017

Faculty Senators

University of South Alabama

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UNIVERSITY OF SOUTH ALABAMA
Faculty Senate

March 22, 2017 – Faculty Club - 3:00 pm
MINUTES

Attending: Tracy O'Connor, Phil Carr, Patricia Mark, Wito Richter, Sam Stutsman, Terrie Platt, Juan Mata, Brad Swiger, David Bourrie, E. Allison, Linda Reeves, Kelly Woodford, Terry Grant, Todd McDonald, Rene Culler, Bettina Riley, Cherie Pohlmann, Jim Vanhaneghan, Andrei Pavelescu, Amy Davis, Tom Rich, Coral Gubler, Nick Gossett, Sam Fisher, Ellen Wilson, Bill Gillis, Kevin West, Saami Yazdani, Rebecca Williams, Phil Smith, Gwendolyn Pennywell, Elizabeth Vandewaa, Justin St. Clair, Ted Poston, Ron Morgan, Clista Clanton, Chimene Gecewicz, Ellen Harrington, Laureen Fregeau, Jason Brooks, Carolyn Dolan, Michael Chinkers, Mikhail Alexeyev, Eugene Cioffi, Sinead N. Chadhain, Joyce Varner, John Cleary

Excused: Kumar Palle, Gary Piazza, Natalie Bauer, Bill Richards

Call to order: 3:02 Sam Fisher

Approval of minutes: February 2017 meeting

Approval of agenda: motion to approve; seconded; carries

President's Report

Searches

- Dean, Honors College
 - Two candidates have been through for interviews; two more candidates to go.
- Dean and VP, Graduate School
 - Phone conference today with search firm; good applicant pool.
- Dean, Nursing
 - Phone conference today with search firm; several candidates invited to apply have declined, but there appear to be 10-15 good candidates still in the pool.
- Vice President, Development
 - President in final negotiations with top choice candidate. Will know something in a few days

Global USA/Continuing Ed Transition

- Minor bumps in the transition, but mostly going smoothly.
- Preliminary reports are that weekend college will run its course as listed on the schedule, and then will close down.
- Discussion about how to proceed with faculty representation, as Global USA not yet incorporated into the Handbooks. Conclusion is that one Continuing Ed

senator will go into A&S along with the Continuing Ed making that transition; and Global will be given 2 Senator positions in accordance with the formula in the by laws.

Announcements

- Elections
- FS End of Year Party : April 19, Moe's Barbecue
 - Community Partner Awards will be given out at the FS meeting
- Jag Merit Badge Jubilee: See announcements section
- Student Finance Seminars: See announcements section

Old Business

- Tenure Extension Policy for Life Events: Vote
 - Vote carries with a friendly amendment of "including but not limited to" language for the Life Events policy.
- Tenure Termination Policy Revision: Vote
 - Discussion around the "90" days stipulation, but HB chair indicated changing the language would likely meet rejection and would delay process unnecessarily.
 - Vote carries with One abstention; 2 Nays.
- History
 - Resolution: Sabbatical Policy (passed faculty Senate, waiting for confirmation in Dean's office—received March 22; now onto the President)
 - Civil Campus Statement (Retooling)
 - Grievance Policy (In the Handbook)
 - COM Extended Tenure (In the Handbook)

New Business

FS Community Partner Awards

Guest Speakers

Doug Marshall and Glen Borchert

The movement to put the University of South Alabama at the forefront of regional sustainability efforts is entering a critical and long-awaited phase as we implement a campus-wide building-by-building recycling program. Our goal is that faculty and staff within each campus building will soon be able to recycle paper, aluminum, plastic, cardboard and glass at their deskside, while students and other users of the building will have easy access to multi-stream bins for all of the above items in every hallway. To be fully effective, this program will require that each building have a "Building Recycling Champion" or BRC ("brick") to serve as the contact person/information point for everyone in that building. Their primary job will be to publicize the program to their colleagues, increase its visibility, answer questions, and help troubleshoot issues as they arise, but they will also assist the sustainability committee with monitoring how the program is working in their building. Like most important jobs on campus, the position pays

nothing except, in this case, the satisfaction of knowing that you're a brick in the effort to build real sustainability here at South. If you're interested in being a BRC for your building, please contact James Bridgeforth, Chair of University Sustainability at jbridgeforth@southalabama.edu.

Committee Reports & Caucus Reports – Submitted in Writing

End of Year Reports – Submitted in Writing

Faculty Handbook Tenure Extension Policy for Life Events

A one-year extension for the tenure-track period is permitted for tenure-track faculty members undergoing certain life events that may affect their professional progress at the University of South Alabama. Life events that may qualify for an extension include the extended illness of oneself or an immediate family member as defined by Human Resources, the death of immediate family member as defined by Human Resources, the birth or adoption of a child, or a divorce.

- Faculty members requesting an extension of the tenure period should submit a formal request to the Department Chair and the Dean as soon as possible after the circumstances justifying the request have occurred and no later than May 15 of the academic year in which a review for tenure would be required.
- This request should include the faculty member's current position, current tenure period, and description of qualifying life event. (Faculty members seeking an extension for medical reasons should submit appropriate medical documentation to Human Resources within one week of making the request.)
- The Department Chair will submit a memorandum to the Dean addressing the request within one week after the chair receives the request. Extension of tenure requests will be subject to the approval of the Dean and the Provost, who will make a determination within four weeks of the initial request.

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, conviction for a felony, failure to perform assigned 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 non-legal 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]**.

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 as defined above shall receive their salaries for **the remainder of their contract year or, in the case of tenured faculty, until the end of the academic year** 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.

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.

Announcements

This Saturday, March 25th, Earth Sciences is hosting the first annual Jag Merit Badge Jubilee for the Boy Scouts of America. This event provides expert instruction in a variety of subjects for scouts and gives them the opportunity to earn a merit badge. USA faculty are teaching the courses and providing leadership for the boys. We are hoping to make this an annual event and expand the invitation to scouts throughout the Northern Gulf Coast. This is a great opportunity for scouts to advance within their organization, gain knowledge in subjects new to them, and see what USA has to offer.

Staying Money-Wise During College

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

Tuesday, March 28, 2017

1:00 PM - 2:00 PM

Student Center, Room 203

Intended for all USA students. Admission is free. Free Pizza will be served.

Managing Your Money After Graduation

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

Wednesday, March 29, 2017

1:00 PM - 2:00 PM

Student Center, Room 203

Intended for all USA students. Admission is free. Free Pizza will be served.

END OF YEAR REPORTS

GLOBAL USA - End of Year Report

Chimène Gecewicz

In September, the SCESP welcomed Dr. Richard Carter as our new dean. Dr. Carter came to the University of South Alabama from Western Illinois University. At WIU, Dr. Carter served as executive director of the School of Distance Learning, International Studies and Outreach. In that capacity, he increased international student enrollment through partnerships with nearly 90 foreign universities.

In February, the SCESP was dissolved and a new unit called Global USA was created. Global USA is housed organizationally within Academic Affairs. Global USA will include four offices: Global Outreach and International Student Services (responsible for international student recruitment and support services for international students); the Office of Immigration and International Admissions (responsible for immigration compliance for students, faculty and other scholars, as well as admission of international students to USA's academic programs); the Office of International Education (responsible for study abroad, student exchange and international partnerships); and the English Language Center (which provides instruction in the study of English as a second language). Dr. Carter will provide leadership for the new unit as Associate Vice President for Global Engagement. He will also retain management responsibility for USA Baldwin County and the Center of Continuing Education, Camps and Conferences.

Currently, there are active searches to fill the position of Director of Global Outreach and International Student Programs Coordinator.

Several departments/programs that comprised SCESP have now been moved to other Colleges. The Developmental Studies math program and its faculty and staff were transferred to the College of Arts and Sciences (the language arts component is being eliminated). The Interdisciplinary Studies and Hospitality and Tourism Management programs and their faculty and staff have transferred to the College of Education.
Director/Instructor

Libraries' Caucus Report/ END OF YEAR REPORT

Ellen Wilson

Lorene Flanders has been appointed Executive Director of University Libraries effective April 1st, 2017. She previously served as Dean of Libraries at the University of West Georgia.

A&S Caucus: End of Year Report

Ted Poston

The A&S Caucus had a fruitful conversation with President Waldrop, et. al., before the Town-hall meeting. Among the topics discussed was the 'chair for life' model in A&S at South, input into budgets at the Dean and Council level, and reliance on non-tenured faculty to meet growing teaching needs. The A&S College had a well-attended and productive Town-hall meeting with the President and administration the Monday before Thanksgiving. The Caucus also began meeting monthly to discuss opportunities and issues within our academic unit. We met with Dean Wierzbicki once in the fall semester and we will meet with him in April. These meetings have been productive and increased communication between A&S faculty and the Dean.

College of Nursing

Caucus Report

Dr. Joyce Varner, Caucus Leader

04/119/2017

Applicant interviews by the search committee for the new Dean will begin April 20 and end on May 1. The new Dean will begin serving summer semester.

University Handbook Committee

Ellen Harrington

The University Policies and Handbook Committee has had a busy year, refining policies that were already in the process of substantial revision, including policies on Tenure and Promotion and Faculty Grievances, and making revisions to policies on Sabbaticals and Termination of Tenured Faculty. The committee also developed a policy on Tenure Extension for Life Events. This required significant deliberation and research on the part of the committee, including at very busy times in the semester and over the summer, and I want to acknowledge the committee members' hard work and thoughtful approach.

At the end of the academic year 2016-17, the policies our committee have worked on are in the following status:

ONGOING-to be routed and followed up through to the Faculty Handbook

- Tenure Extension Policy for Life Events: Vote carries with a friendly amendment of "including but not limited to" language for the Life Events policy.
- Tenure Termination Policy Revision: Vote carries with One abstention; 2 Nays.

IN PROCESS

- Resolution: Sabbatical Policy (passed faculty Senate, waiting for confirmation in Dean's office—received March 22; now onto the President)
- Civil Campus Statement (Retooling)

SUCCEEDED/COMPLETED

- • Grievance Policy (In the Handbook)
- • COM Extended Tenure (In the Handbook)