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3-1-2010

### Faculty Senate - March 1, 2010 Meeting Minutes

Faculty Senate

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The University of Tennessee Faculty Senate  
MINUTES  
March 1, 2010

Absent: Bill Blass, Bill Bradshaw, Ernest Brewer, Jim Conant, Steven Dandaneau, Jim Drake, Denise Jackson, Becky Jacobs, Yuri Kamychkov, Jeff Kovac, Baldwin Lee, Beauvais Lyons, Brent Mallinckrodt, Lane Morris, Jay Pfaffman, Lloyd Rinehart, W. Tim Rogers, Rupy Sawhney, Juergen Schumacher, Montgomery Smith, Carla Sommardahl, Marlys Staudt, Michael Stewart, Sam Swan, Patricia Tithof, Scott Wall, Michael Wirth, Pia Wood, Yang Zhong, Svetlana Zivanovic

T. Boulet called the meeting to order at 3:33 p.m.

### **ANNOUNCEMENTS**

Establishment of a Quorum (S. Kurth)

S. Kurth reported a quorum was present.

Senate President's Report (T. Boulet)

T. Boulet added an item to his distributed report. At the Board of Trustees' [BOT] meeting the timeline for the search for a new President was announced. There will be a short public phase to the search. The advantage of this procedure was in recruiting candidates who would not want their candidacy to be made public.

Chancellor's Report (J. Cheek)

J. Cheek reported on the BOT meeting held the previous week. He said the BOT understands the University of Tennessee, Knoxville [UTK], as indicated by its unanimous support of the significant proposal (for differential tuition) from UTK. The campus had awarded only two honorary degrees. The bestowing of a third honorary degree to former Vice President Gore was approved. Gore would speak and receive the award at the May 2010 commencement. The BOT also approved assigning names to two buildings on White Avenue that were frequently confused. Cheek noted that the legislature was in session. P. Crilly asked about taking action on smoking in front of non-smoking entrances to buildings. A policy was adopted but real enforcement of the ban has been elusive. Cheek said the administration had been looking at the problem, but a strategy had not yet been developed. Cheek said if Crilly would tell him about specific places where violations were occurring, he could send someone to check those locations from time to time. Cheek said the discussion raises the question about considering creating a smoke-free campus at some future time.

Provost (S. Martin)

S. Martin indicated that she did not have a report. Budget and strategic planning were the topics for the March 2 brown bag lunch with Martin and Boulet. T. Wang asked if BANNER would be up for fall. Martin said testing was underway, but it would not be available until spring 2011. Opportunities for training on the system will be announced. K. Reed said Graduate Admissions would be going up on the system over the spring and summer.

### **MINUTES**

Faculty Senate Meeting

Minutes of the February 1, 2010, meeting were distributed late and there was a problem with the attendance record, so no action on them was taken at the meeting.

Faculty Senate Executive Council

Minutes of the February 15, 2010, meeting were distributed as an information item.

**MINUTES POSTED ELECTRONICALLY**

Undergraduate Council. The minutes of the February 2, 2010, meeting were available online.

Graduate Council. The minutes of the February 5, 2010, meeting were available online.

**PREVIOUS BUSINESS**

Proposed Change to Faculty Senate Bylaws (J. Heminway)

J. Heminway noted that at the last meeting N. Mertz helped clarify one of the issues. One proposal she received was to eliminate all criteria as they were meaningless. She disagreed that they were meaningless. If the changes were approved, there would remain a double check, the Committee on Nominations and Appointments. J. Clark proposed everyone who is nominated should attend Senate meetings.

There were no questions. Motion to amend the Bylaws passed.

In Article II, Section 10 Election of Officers, in the qualifications for candidates for President-Elect, change

“prior service as an elected faculty member of the Faculty Senate within the last five years” to

“prior service on the Faculty Senate (as an administrative member, an elected Faculty member, or a committee, council, or task force member, or in another elected or appointed capacity) within the last five years.”

Resolution on Reporting of Athletics (T. Boulet)

Boulet reported there was support for a realignment that would have campus athletics report to the Chancellor. The Task Force on Athletics met earlier on March 1 (Martin and D. Bruce serve on that Task Force). Motion carried unanimously.

WHEREAS, at almost all other major public universities, athletic programs are under campus control and there is no compelling reason to have it otherwise at UTK; and

WHEREAS, student-athletes are students first and athletes second, academic education is the primary reason that they are here and all aspects of their academic lives are already managed by the campus; and

WHEREAS, the Athletics budget is already managed through UTK accounts; and

WHEREAS, the planning and construction of athletic facilities have an impact on academic programs on the UTK campus; and

WHEREAS, educating the people of Tennessee about the value that UTK brings to Tennessee would be better served by having the UTK Chancellor control Communications

about all UTK programs, including Athletics; and

WHEREAS, in April of 2004, the Faculty Senate passed a resolution stating that the President of the UT System should "delegate to the Chancellor of the Knoxville campus the same authority and autonomy enjoyed by the Chancellors on the other campuses, including control of campus budgets, facilities, and infrastructure and responsibility for all athletic programs;" now therefore

BE IT RESOLVED that the UTK Faculty Senate supports a realignment so that Athletics reports to the UTK Chancellor.

Faculty Affairs Committee (S. Thomas)

S. Thomas brought to the body two resolutions that were presented at the February Senate meeting. The first involved changing check boxes to signature lines and the second a change in the number of external reviewers required for candidates for promotion. He reported that he had received no comments since the resolutions were presented February 1. The resolution was passed.

Thomas introduced a second resolution designed to incorporate into the Manual for Faculty Evaluation revised guidelines for obtaining external letters of assessment. G. Fox said she found it troubling that the campus is asking for 8-10 letters of endorsement. Thomas noted that the proposed wording is 8-10 letters will be solicited. Fox asked if the letters in a candidate's file could be cherry picked. Thomas noted that a log is kept documenting requests for and receipt of letters. Only if the Office of Academic Affairs gave approval could letters be removed. Fox said focusing on obtaining 100% of a smaller number of evaluations would be a better strategy. She noted that as a senior faculty member she receives a great many such requests for evaluation. She did not offer an amendment as she had not raised her concerns prior to the meeting, but she would not vote for the resolution.

B. Jones referred to letters solicited in c, specifically asking if solicitation could be via email or mail. He was informed there had to be a letter, although another communication means might be used first. He then asked who constituted the "departmental faculty." Thomas said they were whoever the bylaws specified was eligible to vote on a decision. T. Wang asked if there was any provision that indicated the solicited letters had to be taken seriously. She said she had some questions having been on the Appeals Committee. She asked whether it was set up for the evaluation letters to be taken seriously or to be cast aside. Was there any protection? Thomas said the letters received became part of the dossier that is sent up the chain of command. T. Wang said her concern was that the letters be treated as reliable sources of information. Heminway reminded Thomas that departmental bylaws should address letters. Jones noted that c talked about letters received rather than the solicitation of letters. Thomas asked Jones his view. Jones proposed requiring formal letters. Thomas said that stipulation could be inserted in part b. Jones moved that letters should be solicited via mail. J. Lounsbury seconded. Thompson said email was an easy way to solicit letters and quickly learn if a proposed evaluator were willing. C. Myers asked why Jones wanted letters. Jones replied that letters made it official. T. Wang asked whether email could also be involved. Boulet replied that she was clarifying whether it would be acceptable to solicit via email, if the email were followed by a mailed letter. Thomas summarized: an initial contact by email followed by a letter. Jones and Lounsbury agreed to that friendly amendment. Thompson said with that

procedure you would send the packet of materials for review with a formal letter to those who agreed to be evaluators. Thomas stated the proposal as: 8-10 evaluators would be solicited and anyone who agreed to write an evaluation would be sent a formal letter with accompanying documentation. Jones and Lounsbury agreed to this statement of the motion. C. Plaut said the motion treaded on departmental bylaws and did not serve any purpose. L. Craig said PDFs could be sent as a way of addressing the number of letters. Motion failed.

G. Pighetti said 5 was too many to have as a minimum, as a 50% response rate was hard to obtain. She moved a three person minimum, so instead of reading "no fewer than 5" it would read "no fewer than 3." Lounsbury seconded. N. Hristov asked whether the proposed change would be acceptable to the Provost. Martin said the Provost's Office initiated the proposal. At a minimum five letters are needed to get a better view. If one letter were negative it would be hard to balance it out if there were only two others. A more balanced view is obtained with more letters. Hristov asked whether the resolution would be binding, if it were accepted. Martin said it had been in place for several years. Martin was then asked if she thought the procedures had been successful and she said in her opinion it had. P. Wang pointed out that the word "normally" preceded the words "include no fewer than five." Martin said then it would not be a problem. She indicated the goal in asking for eight to ten was to obtain five. M. Sims said from the perspective of a person being reviewed the policy better serves them. Lounsbury asked why, if you could get five, should you have to ask for 8 to 10. Why not establish the burden as obtaining 5 rather than solicitation of 8 to 10. Martin said in the experience of the campus administration it took that many requests. Motion failed.

Discussion of the original resolution resumed. D. Birdwell said he was bothered by the 8-10 requirement, as that type of instruction should be in a document providing guidance to department heads. Birdwell moved to delete the whole bullet referring to 8-10. Wang seconded. They both accepted a friendly amendment to simply delete "8-10 letters." Martin said the concern was that without some number being specified that not enough letters would be obtained. Very few dossiers are submitted with 8-10 letters of evaluation. She also noted that requesting 8-10 meant that both the candidate's and the department head's proposed evaluations could easily be used. N. Mertz said it was helpful to say 8-10, but couldn't it just be helpful instruction. L. Parker noted it said "will *normally* solicit 8-10 letters," so it was not a requirement. Another possible problem that was raised pertained to small fields. If 10 people reviewed a person for promotion and tenure, there would not be someone new available to evaluate the person later for promotion to full. T. Paulus said having the statement in the "Manual for Faculty Evaluation" was helpful in establishing transparency for the candidate. A friendly amendment to add "normally" was accepted by the motion makers (Birdwell and Wang). T. Wang said it addressed solicited letters. She wondered about solicited and unsolicited letters being added to dossiers. Thomas said that was not pertinent to the motion on the floor. Jones said there was language addressing insertions. Motion approved.

Birdwell said he had another amendment based on his Appeals Committee experience. He thought both copies (fax or email and mailed) needed to be included in the dossier. Wang seconded. P. Crilly asked why would there be a difference. Birdwell said emailed letters sometimes vary from formal letters and thus potentially constitute two different documents. Crilly said he agreed with the intent of the motion, but asked why a discrepancy might occur. Thomas said the issue was not "why." M. Breinig said the document currently does not say anything about whether they are different. Birdwell confirmed that even if they were not

different both copies should be included. Thomas suggested: "if...is received *also both would be retained.*" The next sentence would be deleted. Motion approved.

Birdwell said he had another question about AAU universities and peer universities. He asked whether there should be a statement establishing it as a "peer or better." Boulet asked if the Provost's Office had a view on the topic. He proposed that criterion of "peer or better" be pursued through the Provost's Office and the Faculty Affairs Committee. Thomas said he wanted to proceed because such a referral would be moot, if the motion failed. A friendly amendment was made to have it sent back to the Faculty Affairs Committee to consider the AAU institution designation. It was declared a substitute motion. The motion failed: 11 for and 41 against.

T. Wang asked what did the requirement mean, e.g., were those not employed at AAU institutions perceived as less credible. Thomas said it did not mean that but rather addressed whose judgment was seen as best. J. Koontz commented that the most qualified evaluator might not be at a peer or better institution.

Main motion passed with the amendment to Part IV. B.4.c.

WHEREAS, under Section 2.G. of the Bylaws of the Faculty Senate, the Faculty Affairs Committee of the Faculty Senate "is responsible for reviewing proposed revisions and recommending changes to the *Faculty Handbook* in accordance with the amendments procedures set forth in the *Faculty Handbook*, and for reviewing proposed revisions and recommending changes to the *Manual for Faculty Evaluation* in accordance with the amendments procedures set forth in the *Manual for Faculty Evaluation*," and

WHEREAS, the Office of the Provost recommended that the Faculty Senate Faculty Affairs Committee review and recommend proposed revisions to the *Manual for Faculty Evaluation* concerning the process for obtaining external letters of assessment; and,

WHEREAS, as outlined on page 2 of the *Manual for Faculty Evaluation*, "[r]evisions to the *Manual for Faculty Evaluation*, if any, are made in consultation with and the approval of the Faculty Senate Faculty Affairs Committee and the Faculty Senate Executive Committee for final approval by the full Faculty Senate;" and

WHEREAS, guidelines for obtaining external letters of assessment were revised in July 2007, were distributed and posted on the Provost's website, and have been used on the Knoxville campus since that time but have never been formally incorporated in the *Manual for Faculty Evaluation*; now, therefore, it is

RESOLVED, that Part IV. B.4 of the *Manual for Faculty Evaluation* is deleted and replaced in full with the text accompanying this resolution.

## **REPORTS OF STANDING COMMITTEES**

### Faculty Affairs Committee (S. Thomas)

Thomas presented for first reading three resolutions. The first involved adopting a set of best practices for non-tenure track teaching faculty distributed with the meeting agenda. If adopted the best practices would be an appendix to the "Manual for Faculty Evaluation." The second

resolution proposed the addition of the position "senior lecturer" to the "Manual for Faculty Evaluation." The third resolution provides a definition of "senior lecturer" with reference to "lecturer" and "distinguished lecturer."

#### Undergraduate Council (D. Thompson)

Thompson discussed actions taken at the February meeting. The Policy Committee approved a statement on advising for students with fewer than 30 hours. An additional Engineering program was approved for a five-year BS/MS program. Additional specification on course attendance for students called to military service was approved. Credits earned to remove a high school deficiency will now count as hours toward graduation. The Curriculum Committee approved changes and additions. The General Education Committee added courses and developed a new statement addressing transferability for those receiving Associates degrees from state institutions. D. Bruce moved and P. Crilly seconded. Minutes approved.

#### Graduate Council (V. Anfara)

V. Anfara reported on the February 4, 2010, meeting. The Appeals Committee had 4 appeals pending. The Credentials Committee is explicating doctoral directive status expectations. The revision addresses a limited number of years of approval for non-tenure track faculty. Some curricular changes were made related to BANNER. B. Fenwick discussed responsible conduct of research and raised the question of whether graduate students should go through training for conducting responsible research. A special committee approved awarding an honorary degree to former Vice President Gore.

T. Wang asked with reference to B. Fenwick's document whether there was an equivalent document on responsible conduct as a teacher. Anfara deferred to K. Reed. Reed said there was not. T. Wang said she was concerned about the male-dominated College of Engineering, i.e., concerned about inappropriate behavior, particularly sexual harassment. Reed said they have a regular program for teaching assistants. T. Wang said her concern was about having clear examples. Anfara said he would take her concerns back to the Graduate Council. Motion to approve the minutes made, seconded and passed.

#### Committee on Nominations and Appointments (J. Heminway)

T. Boulet reminded everyone to vote. J. Heminway said ballots would be mailed out soon and there would be about a week to vote. She said as there was one candidate for President-elect; Senators could vote for him or submit another name.

The candidate for President-elect, Vince Anfara, was introduced and briefly expanded on his written statement noting, for example, that he had chaired the Graduate Council for two years. Birdwell asked him how well the duties of Senate President and Department Head would mesh. Anfara said he did not foresee any problem with the time commitment, as he has had a substantial one with Graduate Council.

The position statements for the two candidates for the University of Tennessee Faculty Council (UTFC) were distributed with the agenda. India Lane and David Patterson each gave brief presentations.

## **NEW BUSINESS**

D. Atkins reported he had distributed via e-mail a resolution concerning requirements to be President of the University of Tennessee in response to the state legislature engaging in codifying minimum requirements for higher education leadership. After he distributed the resolution, he changed it. As the legislature had not passed any legislation, the resolution did not need to address a particular piece of legislation. Birdwell seconded the motion. C. Myers asked whether it should be President Boulet or "the President of the Faculty Senate agreed." The mover and seconded agreed to the substitution. Motion passed.

*Original Resolution:* Proposed Resolution Supporting the UT Board of Trustees Current Process for Selecting UT System President and UTK Chancellor

Whereas UTK faculty are governed by the UT System President and UTK Chancellor and provide advice in the selection of both, and

Whereas the UTK Faculty Senate holds that requirements for the UT President and UTK chancellor should be set, not by the legislature, but by the Board of Trustees in consultation with faculty and administrators, and that an advanced academic degree is an appropriate qualification for both the UT President and UTK chancellor.

Be it therefore resolved that: the Faculty Senate directs President Boulet to communicate to the legislature, strategically and at his discretion, the UTK Faculty Senate's disapproval of any bills which attempt to set specific qualifications for the UT Presidency or Chancellorship.

*Amended Resolution:* Resolution Supporting the UT Board of Trustees Current Process for Selecting UT System President and UTK Chancellor

Whereas UTK faculty are governed by the UT System President and UTK Chancellor and provide advice in the selection of both, and

Whereas the UTK Faculty Senate holds that requirements for the UT President and UTK chancellor should be set, not by the legislature, but by the Board of Trustees in consultation with faculty and administrators, and that an advanced academic degree is an appropriate qualification for both the UT President and UTK chancellor.

Be it therefore resolved that: the Faculty Senate directs the President of the Senate to communicate to the legislature, strategically and at his or her discretion, the UTK Faculty Senate's disapproval of any bills which attempt to set specific qualifications for the UT Presidency or Chancellorship.

S. Thomas made and C. Cochran seconded a motion to adjourn. Motion passed.

Meeting adjourned at 5:15 p.m.

Respectfully submitted,

Suzanne B. Kurth, Secretary