

Faculty Senate Executive Council  
MINUTES  
May 9, 2011

Present: J. Heminway, T. Boulet, J. Koontz, C. Myers, M. Essington, B. Lyons, V. Anfara, B. Birdwell, C. Plaut, B. Jacobs, S. Thomas, K. Stephenson, L. Rinehart, S. Ohnesorg, J. Deeken

Guests: S. Gardial, L. Tramm

## **I. CALL TO ORDER**

J. Heminway called the meeting to order at 2:02 p.m. Heminway indicated that this special meeting of the Faculty Senate Executive Council was being convened under Section 2.A. of Article III of the Faculty Senate Bylaws, which provides that

[t]he Executive Council . . . shall handle necessary business on an emergency and interim basis between Faculty Senate meetings (including matters that may arise after the last scheduled Faculty Senate meeting in the spring and before the first scheduled Faculty Senate meeting in the fall, during which time a quorum will be seven members of the Executive Council including the Faculty Senate President).

## **II. OLD BUSINESS**

A. Living Wage Resolution. Discussion of this item was terminated at the May 2<sup>nd</sup> Senate meeting. Heminway asked whether this item was something that the Executive Council should handle or whether it should be considered at the first Faculty Senate meeting of the next academic year. V. Anfara was concerned about the possible amount of carryover to next year. C. Myers said that there would be carryover only if the Executive Council chose not to handle items in the interim. J. Heminway pointed out that the Faculty Senate has a long history of action on the Living Wage issue. After discussion it was that agreed to bring the living wage resolution to the next faculty senate meeting and allow the B&P committee to continue to consider the assessment report especially in light of the new post-stimulus budget.

T. Boulet moved to postpone discussion of the Living Wage resolution and discuss the related issues at Faculty Senate Retreat in the fall. C Myers seconded the motion. The motion passed unanimously.

B. Undergraduate Council Minutes. J. Koontz reported that highlights of the report included a change in the academic policy on drops. The original passage of a course drop fee was reversed, and the Council approved rescission of its earlier action in that regard. There will be no course drop fee. The high school deficiencies policy was dropped. The Council accepted a revised policy on universal transfers from Tennessee Board of Regents (TBR) schools. However, graduation from a TBR school does not automatically guarantee admittance to UTK. Admission for transfers (as for other applicants) takes a holistic look at the candidate when making the decision to accept. The entire Undergraduate Council heard an appeal of an undergraduate grade. The Executive Council, acting as the full Senate, accepted the report.

- C. Graduate Council. M. Essington referred the group to the report posted at <http://gradschool.utk.edu/GraduateCouncil/Minutes/April%2014%20Minutes.pdf>. The Council approved curriculum changes, approved faculty for directing dissertations. There was a minor change to the Academic Policy Committee Bylaws. The Executive Committee, acting as the full Senate, accepted the report.
- D. Faculty Senate Positions. V. Anfara introduced the slate of candidates for Secretary (J. Deeken) and Information Officer (S. Ohnesorg). C. Myers called the vote. The Executive Council, acting as the full Faculty Senate, voted unanimously to accept the two candidates. V. Anfara then reported that we will soon need an election to University Faculty Council. D. Patterson agreed to serve until June, but we will need a three-year replacement for India Lane, who moved to a position in the Academic Affairs and Student Success office at The University of Tennessee system offices.
- E. TUFs Resolution on Shared Governance. Since this was a resolution of a Faculty Senate committee (the Executive Council), J. Heminway announced it needed no second. B. Lyons asked if Heminway felt there was some urgency on the resolution necessitating a vote now instead of waiting for the full Senate in September. Heminway responded that TUFs wanted to urge action as soon as possible. T. Boulet stated that there are 10 universities represented in TUFs. One or two have already indicated they will not vote until the fall due to the timing of the TUFs meetings and the subsequent meetings of their Faculty Senates. Six positive votes from TUFs institutions are needed for the resolution to become effective. Boulet supports the resolution and would like the Knoxville Faculty Senate to pass it, but he was not concerned about whether the vote was taken at this meeting or was postponed until the fall. J. Koontz noted that the language in the *Faculty Handbook* does not match the wording of the resolution. Boulet replied that the Faculty Senate can change the language of the *Handbook* can be changed next year, but the wording of the TUFs resolution cannot be changed by individual universities. Heminway asked if the Executive Council was ready to vote as the full Senate. The motion to adopt the resolution passed unanimously.
- F. Coalition on Intercollegiate Athletics (COIA). J. Koontz moved the proposed COIA resolution endorsing the Knight Commission Report be sent to the Athletics Committee of the Faculty Senate for action. The motion passed unanimously.

### III. NEW BUSINESS

S. Thomas introduced revisions proposed by the Office of General Counsel to resolution previously passed by the Faculty Senate involving (1) changes to the *Faculty Handbook* concerning ranks and terms of appointment for non-tenure-track faculty and (2) the addition of a document entitled "Best Practices and Recommendations Regarding the Supervision and Development of Non-Tenure-Track Teaching Faculty" to the *Manual for Faculty Evaluation*. (The draft revisions had been distributed as attachments to the agenda for the meeting and are available from the Faculty Senate website.) He reported that the Faculty Senate had approved resolutions on these changes in March 2010. The issues have been held up in the Office of General Counsel for the past 16 months. The changes themselves were minor and Thomas did not see a problem with accepting them. Lyons pointed out that any policy changes to the *Faculty Handbook* need to be approved by the UT Board of Trustees. Thomas acknowledged that the reason for addressing the concerns raised by the Office of General Counsel at this time

was an effort to have the *Faculty Handbook* issue presented to the Board of Trustees at the June 2011 meeting, rather than having to wait an additional year for consideration by the Board.

D. Birdwell raised questions regarding the changed wording, highlighting in particular, the sections dealing with mandating one or three months' notification of layoffs for non-tenure-track faculty. Under a grant, the grantor has the right to cancel the grant with no notice. In this case, who would pay the salary for the faculty during the notification period? Federal grants would not allow this type of payment. J. Koontz asked the question regarding unused leave. Who pays for leave time employees might have accrued and not used on a grant? Is the money for these matters to be set aside by the campus in a separate fund? It does appear in IRIS, but is it really "banked" and can that money be used after a person's position has terminated? Birdwell stated that if a person's assignment is switched from one grant to another, the new grant picks up responsibility for the leave time, even though it is not budgeted or approved by the granting agency. Heminway suggested the Executive Committee accept in principle the changes to the wording and authorize a subcommittee of Heminway, Anfara, and Thomas to gather information about the issues raised, revise the proposed resolution to address these issues, and report out on the resolution of the issues to the Executive Council at its next meeting. The motion passed unanimously.

Adjournment was moved, second and approved.