

The University of Tennessee Faculty Senate
MINUTES
February 6, 2012

Absent: Katherine Ambroziak, David Atkins, Caula Beyl, Robyn Blakeman, Ernest Brewer, Hoan Bui, Feng Chen, Michael Clark, Paul Crilly*, Lt. Brian Delamater, Todd Freeberg, Alberto Garcia, Matthew Gray, Martin Griffin, Joanne Hall*, Federico Harte, Joan Heminway, Jennifer Hendricks, Wonjae Hwang, Robert Jones, Ron Kalafsky, Kurt Lamour, Alex Long, Brent Mallinckrodt, Lane Morris, Lynne Parker, Joan Rentsch, W. Tim Rogers, Fernando Schwartz, Michael Sims, Robert Sklenar*, Carla Sommardahl, Carrie Stephens, Otis Stephens, Michael Stewart, Sam Swan, Dwight Teeter, Klaus Van den Berg, Mike Zemel*

Alternates*: Ralph Brockett for Mike Zemel, Susan Speraw for Joanne Hall, Tse-Wei Wang for Paul Crilly, Anthony Welch for Robert Sklenar

V. Anfara called the Senate to order at 3:30 p.m.

ANNOUNCEMENTS

Establishment of a Quorum (J. Deeken)

J. Deeken announced a quorum was present at 3:35 p.m.

President's Report (V. Anfara)

V. Anfara has sent a letter to the UTK members of all of the 12 Taskforces. The letter was signed by 8 past Presidents of the Senate. The letter asked all to remember that the Task Forces deal with the System. Campus issues should NOT be included in their discussions. A copy of the letter has been posted on the Faculty Senate web site (<http://senate.utk.edu/files/2012/02/strat-plan-2012-letter-2.pdf>).

P. Daves and Anfara have concerns about the hiring process implemented by HR for staff hiring. Post-docs are considered staff in this system. Faculty hiring is not currently on the electronic system, but this step is planned. Daves and Anfara are working with HR on concerns regarding the electronic system.

D. Birdwell said that HR has made his life more difficult considering all research hires as staff and not faculty. All his hires have been at 20-25% below market rate AND above UTK's rate by 50%. Birdwell considers the current state "intolerable." Every hire he has made has had to go through the Chancellor to get an exception. He feels HR does not understand that we need the best possible talent. His hires are all on soft money. If/When a grant ends staff members are laid off so there is no long term commitment made by UTK. Birdwell wants to hire the best people without interference from HR.

Chancellor's Report (J. Cheek)

The Chancellor is ill and could not attend the meeting. He will give his "State of the University" talk at the March meeting.

Provost's Report (S. Martin)

Provost Martin stated many people share Birdwell's frustration with the inflexibility of the pay scale. This will change over time. TALEO is the name of the system purchased to handle hiring through an electronic system of application. The Provost has met with HR to identify the changes that need to be made to accommodate UTK current practices. She is frustrated at the slow rate of change, but

feels progress is being made. There will soon be a meeting to discuss how to handle faculty recruitment in the new electronic system.

Regarding the Top 25 Task Forces, she felt that many committee members had felt the conflict Anfara mentioned between campus and system. There was a 6-hour meeting on Thursday, February 2 of task force members. They decided on 6-8 goals that the President wants to focus on for the next 2-3 years. The focus is on the state government level, not on the level of HR.

There was an increased response to SAIS in the Spring semester to 50%. Approximately 75% of students completed at least one evaluation. This is NOT where we want to be. The Working Group has been reestablished. They will soon send a letter to the faculty with a report. SGA and the Graduate Student Senate were both involved in encouraging responses. The Provost reiterated that she does not support giving extra credit for completing evaluations. It is not appropriate. The focus is on SAIS, but that is only part of the picture. We need to focus on that larger picture. Making completion of SAIS mandatory is possible, but would take major programming time and talent. Other projects, such as Banner, are more important than SAIS. But, even more importantly, the Provost does not think that completing evaluations should be a stick.

B. Lyons is concerned about using SAIS results, especially with probationary faculty. He wonders how the low results could be used for retention discussions. The Provost replied that the best evaluation is thoughtful peer evaluation by a team who actually attends a few classes.

Lyons continued by saying there was a meeting on Thursday about the Morrell Act. The meeting seemed to imply that all UT campuses were land-grant institutions. Technically, only UTK and UTIA are covered by the Morrell Act. The Provost agreed that technically Knoxville is the land-grant institution. The other campuses are also committed to outreach and community engagement. Lyons wanted to clarify that he thinks spreading the land grant mission across all campuses is a good idea.

Birdwell mentioned several issues with the Min Kao Building that demonstrated a lack of communication between planners and faculty. He also mentioned last Friday's loss of computer access, the problems with HR (mentioned earlier). One of his grant sponsors is refusing to pay the last bill submitted to them since it has charges for unused annual leave by employees of the grant. There are too many incidents like these for UTK to be a Top 25 University.

The Provost replied that UTK has made progress in Information Technology. The campus, not the System, has governance over IT. We are making progress with Banner. C. Cimino was credited for the progress so far, but we have to be persistent. Everything is not perfect, but if one looks at today and 5 years ago, we are measurably far better off. This is a marathon, not a sprint. The Provost agrees that SAIS is not the best way to evaluate probationary faculty. Good peer review done a couple of times a semester is the best evaluation.

Report from C. Cimino

The outage last Friday should NOT have happened. A cluster of servers suddenly went in a loop and brought down the entire system. It took five hours to diagnose and repair the issue.

The Governor's budget had a pleasant surprise: the recommendation for 2.5% salary increases for all state employees. Sixty percent of that would come from the state and 40% from the individual agency. The campus is looking to see if they can add more to the pool.

The new formula funding is in place. Based on the formula, UTK should receive: \$4 million more next year which partially funds the 2.5% raise pool; \$4 million for formula improvement; \$1.27 million for group insurance funding; and \$108,000 thousand in TCRS retirement funding. This totals \$9.3 million in funding from the state. But these figures are somewhat deceiving. A 2.27% (or \$3,273,200) reduction is shown in the supplemental budget document.

In capital outlay, the bond bill was discussed. The Governor did put \$94 million in his bill to replace Strong Hall and another \$3 million for planning another building. We currently have a need for \$11 million in capital outlay needed from basic maintenance of buildings such as repairing roofs and other repairs need to just keep buildings tight.

T. Boulet asked what the figure was in total deferred maintenance. Cimino replied it was \$200 million last time they did a survey. He expects the total to have risen to \$300 million by the time they do the next survey. The state is still looking at the bonding issue.

MINUTES

Faculty Senate Minutes

The minutes of the November 21, 2011, Senate meeting were moved by P. Daves, seconded by S. Gilpatric and approved unanimously.

Faculty Senate Executive Council

The minutes of the January 23, 2012, Executive Council meeting were distributed as an information item.

MINUTES POSTED ELECTRONICALLY

Graduate Council (R. Brockett for M. Zemel)

R. Brockett introduced the minutes of the October 27, 2011, meeting. He highlighted the quick survey of academic policy. The Credentials Sub-Committee approved 3 faculty to direct doctoral dissertations. The Policy Committee discussed classes not taught in 4 years. The minutes passed unanimously.

As an information item, Anfara stated that both the Graduate and Undergraduate Councils were going to review the current policy of dropping courses not taught in 4 years. Looking at the Graduate Council report, one could see that not all recommendations for dropping courses were approved.

REPORTS OF STANDING COMMITTEES

Faculty Affairs (P. Daves)

P. Daves reported on the progress of the resolutions authorizing changes to The *Faculty Handbook* and *The Manual for Faculty Evaluation*. Both have run into slight problems with the Office of the General Council (OGC). Daves explained that any change we propose to these documents is reviewed by the OGC. They do this because any changes we propose that change the contractual relationship between the faculty and the Board of Trustees must be approved by the Board. They have appointed the OGC to do a preliminary review and to negotiate changes with changes passed by the Senate if they find issues that change that contract. In the last amendments, the OGC suggested changes. Daves and the OGC are negotiating wording that is acceptable to both parties. The changes will have to be approved by the Senate.

Boulet explained that OGC is the Secretary of the Board of Trustees. Daves agreed that the Senate has the legal authority to approach the Board directly, but the chances of the Board passing something not vetted and supported by the OGC are slim.

T. Schacht (visitor) reported that Section 5.2.1 of the University of Chattanooga's has similar wording to that proposed by our Senate.

Anfara stated the phrase in question is "best practices." To what extent do they carry the force of law? In a law suit, what would the court rule if the University was not following what the *Handbook* described as best practices?

Daves reiterated that all parties are working together to come to a solution.

NEW BUSINESS AND ANNOUNCEMENTS

Student Athletes (D. Murphy)

D. Murphy, the Faculty Athletic Representative, gave a snapshot of the academic progress of student athletes. Facts presented included:

1. The most recent student cohort shows that Student Athletes (SAs) had a 60% graduation rate compared to non-SAs 61% rate.
2. This past fall, the overall SAs GPA was 2.94. 49% of all SAs had a 3.00 or higher GPA.
3. 11 of 16 teams had GPAs of 3.00 or higher. Men's golf was the highest with a team GPA of 3.45.
4. The academic profile of entering class (fall 2011) show the average GPA of all entering students was 3.8 and their average ACT was 28. For SAs, those figures were 3.3 and 23 respectively. Murphy pointed out this was an area which shows the greatest deviation.
5. Logged community service hours by SAs consistently exceed 2,500 hours per year.
6. 23 SAs have been named Torchbearers.
7. There have been 43 First Team Academic All-Americans from UT.
8. UT SAs have won six H. McWhorter Awards; 3 of them in the past six years.
9. The Lady Vols have had 3 athletes named NCAA Woman of the Year.

TUFS (T. Schacht)

Anfara introduced Dr. Thomas Schacht, President-Elect of Tennessee Universities Faculty Senates (TUFS). Boulet is the current President of TUFS and Schacht is the incoming President. Dr. Schacht is from ETSU, College of Medicine. Dr. Schacht mentioned that he noted that the issues our Senate discussed today are mirror images of issues at ETSU. The OGCs of all colleges and universities in Tennessee founded a group about 5 years ago. TUFS was first just a project of UTK and ETSU Presidents. They invited all 4 year institutions to get together and wrote a draft Constitution. The purposes of the group are:

1. To learn from each other and take what they learn back to the individual campuses. ETSU was able to secure University support of the Faculty Senate by showing that other campuses provided support.
2. To provide a collective voice when speaking to the Board of Trustees or other (THEC) groups.

The body is independent; not controlled by the institutions. The group meets twice per year and rotates around the state. There is one vote per campus. There are usually interesting discussions about individual campus issues. They have also testified to Legislators and to Master planning Committees.

Right now TUFS is investigating the potential vulnerability of faculty taking part in shared governance activities. There was a case in which a judge in Missouri ruled a wrongly dismissed

tenured professor should not receive back pay after he was reinstated for publically speaking against his school's policies. This is an AAUP national priority. The Faculty Senate at ETSU has proposed a policy to their *Faculty Handbook* to specifically state that academic freedom extends to speaking publically about their University. The Board of Trustees institutions have adopted such Legislation.

Daves noted that the Faculty Affairs Committee is working on a fix regarding academic freedom for UT faculty as well.

In answer to a question, TUFs is not planning a "day on the hill." It would be considered only if a consensus of member schools supported such a plan.

Under new business, M. Handlesman asked if the Senate wanted to separate us from the Branding Campaign. Lyons recommended sending all issues to Margie Nichols. Handlesman responded that the campaign makes us look like K-Mart. Lyons suggested using the Faculty Senate listserv to discuss the issues.

ADJOURNMENT

Daves moved to adjourn the meeting; P. Carter-Zagorski seconded. The motion passed unanimously at 5:00 p.m.

Respectfully submitted,

JoAnne Deeken, Secretary