

# **Faculty Affairs Committee (FAC) – Faculty Senate**

Meeting Minutes  
December 9, 2013

## **Opening**

The meeting of the Faculty Affairs Committee (FAC) – Faculty Senate was called to order at 3:36 pm on 12/9/13 in Hodges Library, 220E, by Jenny Fowler.

## **Present**

Eleanor Read, Bonnie Ownley, Jenny Fowler, Phillip Daves, Phillip Ye, David Harper, John Schwartz

Unable to attend: Chris Cherry, Jo Ann Cady, Irene Goodwin

## **Approval of Minutes**

Minutes of previous meeting were not available at this time

## **Old Business**

A proposal to add a statement regarding “Academic Freedom” as it pertains to shared governance was formulated (see appendix). Jenny will type up the new proposal and send it via email to the committee and other interested parties for edits. The proposal will then be shared at the next Executive Council. Plans were made to ask for faculty input through open forums, to be held early in the Spring semester.

## **Open Issues**

None were discussed at this meeting.

## **New Business**

None.

## **Agenda for Next Meeting**

The next meeting was not set.

## **Agenda for Future Meetings**

Open Forums will be scheduled.

## **Adjournment**

Meeting was adjourned at about 4:30 pm by Jenny Fowler.

Minutes submitted by: Jenny Fowler

Appendix 1: draft statement

**The Faculty Senate of the University of Tennessee Knoxville Resolution**

Dec. 9, 2013

WHEREAS, the University of Tennessee Knoxville intends to be the preeminent public research and teaching university linking the people of Tennessee to the nation and the world; and

WHEREAS, the University of Tennessee Knoxville seeks to be competitive in efforts to recruit and retain the highest quality faculty; and

WHEREAS, the University of Tennessee Knoxville as an institution encourages shared governance principles among its faculty and administration; and

WHEREAS, a necessary component of shared governance is the ability of faculty members to engage in wide-ranging discussions of University policies and governance without fear of institutional censorship, discipline, or retribution; and

WHEREAS, a necessary component of the effective performance of Department, College, and University service duties is the ability to engage in wide-ranging discussions on Department, College, and University policies and governance without fear of institutional censorship, discipline, or retribution; and

WHEREAS, the opinion of the Supreme Court of the United States in *Garcetti v. Ceballos*, 547 U.S. 401 (2006), has been interpreted by lower federal courts to permit adverse employment decisions to be taken against faculty members for engagement in shared governance activities; and

WHEREAS, other top-ranked state universities such as University of Minnesota, University of Wisconsin, University of Georgia, University of Michigan, University of Florida, and others have adopted academic freedom language for faculty that extend protection to speech made in the course of shared governance and other employment-related duties;

THEREFORE, BE IT RESOLVED THAT the University of Tennessee Knoxville Faculty Senate expand the definition of academic freedom to include protection for shared governance and other employment-related speech.

## Revision to UTK Faculty Handbook

2014

RESOLVED, that the language in Section 2 of the *Faculty Handbook* be changed as follows:

**New language = underlined**

**Deleted language = ~~strikethrough~~**

### 2.11 Academic Freedom

Faculty members have the right to academic freedom and are expected to seek and to speak the truth as they perceive it on the basis of expertise and research in their discipline. Academic freedom is this right for faculty members to teach, research, create, and perform about their knowledge and understanding in their discipline. This freedom persists even when faculty members hold a minority view within their discipline and when others in and beyond the institution find these views contrary or objectionable. The right of academic freedom applies to all faculty members, including non-tenure track faculty members. A faculty member should recognize that the right of academic freedom is enjoyed by all members of the academic community. She or he should be prepared at all times to support actively the right of the individual to freedom of research and communication.

A faculty member also has the responsibility to act as a good citizen of the University and to contribute to the on-going communication – with fellow faculty, with academic administrators, and with the Board of Trustees– that is at the heart of the shared governance of the University. Shared governance includes communications and deliberations at all levels of the university on matters related to professional duties, the functioning of the university, and university positions and policies. When communicating as a citizen of the University, by whatever means and at whatever level, a faculty member has the freedom to raise and to address any issue related to the shared governance without fear of institutional discipline or restraint.

### 2.13 Freedom as a Citizen

When faculty members communicate as citizens on matters of public concern, they operate independently of the university. In this situation, faculty members have rights common to all citizens, including the rights to organize associations, join associations, participate in public meetings, run for and serve in government offices subject to applicable state and federal laws and university personnel policies, demonstrate, picket, and voice their opinions. To exercise their rights as citizens, faculty members must also respect the university by not claiming ~~institutional support or involvement~~ to represent the University, and by not using institutional resources.