

## FACULTY SENATE

Minutes

April 4, 2016

Absent: Benjamin Auerbach, Richard Bennett, Stephen Blackwell, Stan Bowie, Barry Bruce, Vincent Carilli, Chris Cimino, Matthew Cooper, Neal Eash, Susan Edmundson, Dan Flint, Diane Fox\*, Alex Freire, Stephanie Galloway, Heather Hartman, Christy Hickman, Melissa Hines, Jacqueline Johnson, Hyun Kim, Dean Kopsell, Dayton Lambert, Lt. Col. Brian Lancaster, Fangxing (Fran) Li, Chris Magra, Crystal McAlvin, Agricola Odoi, Gina Owens, Arthur Ruggles, Amadou Sall, John Schmisser, Joe Scogin, Vandana Singh, Gary Smith, Olya Smrkovski, Dawnie Steadman, Kris Tobin, Micheline Van Riemsdijk, Margarita Velandia, Brynn Voy, Forbes Walker, Micheline Westfall, Ling Zhao, Xiaopeng Zhao, Steven Zinkle

Present via Zoom: Margaret Casado, Mark Collins, Ray DeGennaro, Shelley Newman, Spencer Olmsted, Jennifer Stokes

\*Alternates: Mark DeKay for Diane Fox

### **I. ESTABLISHMENT OF QUORUM** (E. Bernard)

Quorum established by E. Bernard.

### **II. CALL TO ORDER**

B. MacLennan called the meeting to order 3:33 pm.

### **III. ANNOUNCEMENTS**

#### Chancellor's Report (J. Cheek)

- State legislative session will run until April 23, 2016. As of today, the reconstitution of the BoT, the Freedom of Speech Protection Act, and disciplinary procedures have been taken off notice. The limit on spending of no more than \$2.5 million in the system is going to summer study. Since the legislature is still in session these issues may or may not come back. The Tuition Stability Act failed in subcommittee. The policy that would affect students seeking Medical assistance due to drug overdose or alcohol was deferred to summer study. The Legislative Senate is considering the budget for UT's system this week. The current draft does not include the \$8 million allocation for our budget. There is also some discussion about \$100,000 being directed to signage for police vehicles for the next 3 years which would come from the Diversity and Inclusion budget. After the third year the money would revert back to UT.
- For some months, there has been ongoing dialogue with members from the Black Student Union and UT's Student Matters. The members have shared recommendations to make the campus better. Discussions are planned to continue and are becoming more cordial. They see some things can happen and some things administrators cannot make happen.
- The proposed bill that would allow guns on campus has had substantial changes made to it and will probably move forward. If passed, only full-time faculty and staff would be allowed to carry a gun with a permit on campus and individuals would have to register with us so we know who is carrying. Students are not included in this bill and areas for restriction on campus are being still being discussed. The administration believes it is a safer campus not to have guns, however, they believe the bill will move forward. J. Hall shared that she has not talked to any faculty who is in support of guns on campus and asked if faculty and staff could be asked to voluntarily not carry from an institutional level. L. Gross noted that police registration is public data if guns are allowed on campus. The Chancellor will talk to general counsel. R. Spirko inquired if there has been any discussion related to guns being allowed in

laboratories. The Chancellor said they are going to push forward with those discussions along with large athletic events, commencements, student conduct, disciplinary matters and tenure review. Any kind of meeting that can be confrontational.

- A national search for the next Provost has begun. Vince Carilli, Vice Chancellor for Student Life, is chairing the search committee. There is a strong search committee in place and they are actively working to identify candidates. August is the projected date for airport interviews. After these interviews the plan is to bring five to campus at the end of August. They hope to have someone hired and ready to begin in January 2017.

#### Provost's Report (S. Martin)

- Admissions update: The total of undergraduate applications is approximately 17,200, which is up almost 500 from last year. Eight hundred sixty-four of these applicants are from out of state. Numbers currently trending are good. Admits are currently up over 300 for in-state applicants and up over 800 for out-of-state applicants. Admits of international students are also up. Transfer students are down in applications, admissions, and confirms. There are plans to work hard over the summer to make sure transfer students enroll. This is now a long-term activity and there is still a long way to go to build our transfer class. May 1, 2016, is the cut off day for enrollment. L Gross asked the Provost to elaborate more on undergraduate admissions and she deferred to M. Albright. She explained that UT Knoxville is currently flat from a year ago. The Provost shared that there is an emphasis to make data more available to faculty.
- April 1, 2016, Dixie Thompson began her position as the new Vice Provost. She is going to begin by immediately taking a temperature of campus.
- A special thank you was shared with Mary Albright who served as interim Vice Provost for 3 months.
- The BoT voted in favor for the new strategic plan unanimously. Question from M. Fry asked where the strategic plan can be found and the Provost stated that the plan will be sent out shortly.
- Attention is now being focused on the end of semester course evaluations. A new set of questions will be piloted this spring with voluntary faculty. They will be asked to look at the effectiveness of the questions. An invitation to faculty will be forthcoming.
- They are beginning to look at a policy document and want to use this opportunity to encourage and reward faculty through the use of self-reflection, peer evaluations, student reports, etc. Discussions are slated to begin with faculty in the next week. There will be more information about this as they move forward in the process.

#### President's Report (B. MacLennan)

- Traveled with B. Ownley and C. White to Martin last week to attend the University of Tennessee Faculty Council meeting and the UT Board of Trustees meeting. C. White will be reporting on the UFC meeting later on.
- President Joe DiPietro and Vice President Anthony Haynes gave an update on the legislative situation. Many of the bills that would negatively impact UT have failed or been deferred to summer study, which takes them out of play for this year. No doubt, some will return next year. Two of the most dangerous bills — the tuition freeze and restructuring of the Board of Trustees — are off the table for now.
- The "guns on campus" bill is still alive and seems likely to pass. UT has been working to get the bill amended to include certain restrictions; for example, only full time faculty and staff would be permitted to have guns, weapons and their locations would have to be registered with UT police, and guns would be excluded from certain situations, including disciplinary and tenure meetings. Staff for Senator Lee Harris, the minority leader, who opposes the bill, contacted me about the senate position, and I sent him our resolution with additional

supporting information.

- There is no change on outsourcing. An independent third party is being brought in to validate the cost estimates from UT and the outsourcing consultants. UT continues to be assured that it can opt out of outsourcing if it determines that is best. The budget amendment, which strips \$8M from the UTK budget and distributes it to UTC, UTM, and Ag, will be in the senate soon. It's likely that some funds will be taken from UTK to punish us for our diversity and inclusion efforts, but hopefully much less than \$8M.
- At the Thursday UFC meeting, V. P. Katie High gave us the Draft CPR Elements, which you have now received. Several members of the UFC were on the CPR committee, but for the rest of us it was the first time we had seen them, and so we had a valuable discussion of their content. In subsequent meetings we developed the current plans for gathering comments from the faculty and forwarding them to the committee for their consideration. There is now a website set up. C. White and T. Boulet will be discussing the draft CPR policy as New Business.

#### **IV. MINUTES OF THE FACULTY SENATE AND EXECUTIVE COUNCIL**

- L. Gross moved to approve the Faculty Senate Meeting Minutes, February 1, 2016. M. Beck seconded the motion, and the minutes were approved as written.
- Faculty Senate Meeting Minutes, March 7, 2016, is forthcoming.
- The unapproved minutes of the Faculty Senate Executive Council Meetings of February 22, 2016 and March 21, 2016 are forthcoming (information items).

#### **V. MINUTES OF THE GRADUATE COUNCIL** (S. Kania)

- A brief overview of recent actions by the Graduate Council was provided for the January 28, 2016 meeting (<http://gradschool.utk.edu/GraduateCouncil/Minutes/GC%20Council%20Minutes%201-28-16.pdf>). The minutes will be posted online. The changes came in as a seconded motion from Graduate Council. All senators voted in favor of the changes. There were no opposed.

#### **VI. STANDING COMMITTEE REPORTS**

##### Nominations and Appointments Committee (B. Ownley)

- Social Work and Law have completed their caucuses. There are currently six other colleges/schools/departments in process. The reason caucuses are not yet complete is because ballots that were sent out went to *clutter* due to a default setting. OIT is working on fixing this issue. Senators were advised that if someone did not receive a ballot to look in their *clutter* box or notify her.
- Informed senators that if anyone would like to re-up their term, or if they know someone to get them in touch with her.

##### Non-Tenure-Track Issues Committee (A. Brown and D. Hadziabdic-Guerry)

- Previously M. Collins was Chair of this committee but needed to step away.
- They are currently working together on cleaning up the language addressing issues in the *Faculty Evaluation Handbook*.
- M. Beck was asked to join them to assist with addressing the benefit of leave for non-tenure track faculty.
- Senators can email either of them for questions, comments, and suggestions.

#### **VII. NEW BUSINESS**

##### Background for CPR Policy Revisions (C. White)

- Historical background and timeline (<http://senate.utk.edu/1319-2/>). Last August President DiPietro formed a task force charged with reviewing the post-tenure review process in the

University of Tennessee system (the Cumulative Performance Review, or CPR, process). The faculty senates of the four academic divisions of UT (UTC, UTM, UTHSC, UTK+UTIA+UTSI) have been involved in this process through their representatives on the University of Tennessee Faculty Council (UFC). The UFC made recommendations on the constitution of the task force and has monitored its progress. The 11-member task force has two members (one faculty, one administrator) from each of the four UT divisions. It is chaired by Toby Boulet, an Associate Professor in Mechanical, Aerospace and Biomedical Engineering, who was previously president of our Faculty Senate, chair of the senate Appeals Committee, and a faculty member of the Board of Trustees.

- The task force has completed its work and produced a draft CPR policy. This document states the essence of the policy, but not the final wording, which will be developed by UT General Counsel. Please review it carefully and provide feedback at <http://senate.utk.edu/comments-for-cpr-draft-policy/>.
- Although this is Board policy and not subject to faculty vote, we will be collecting comments and suggestions for improvement on the draft policy through the end of April. The task force will consider these comments and suggestions when they write the final policy, which will be presented to President DiPietro as a recommendation.
- Final approval rests with the Board of Trustees. After the Board approves the new policy, it will be necessary to update the Faculty Handbook and Manual for Faculty Evaluation to conform to it.

#### Presentation to Faculty Senate about the CPR Proposal (T. Boulet)

- A new flow chart was presented of the proposed process (<http://senate.utk.edu/wp-content/uploads/sites/16/2016/04/CPR-FS.pdf>).
- Some of the changes that were discussed include: 1) Decoupling of the qualifications to serve on a CPR committee; and 2) the creation of a nomination process for a pool of reviewers; 3) A 30 days maximum to trigger a review; 4) The trigger for a CPR is an Unsatisfactory evaluation, which is an F; 5) Final decision to be made by the end of the second year of evaluation; 6) Required oversight of an improvement plan; 7) Recommend CPR oversees the department head as they will no longer have power; 8) The process should not take any longer than 18 months; 9) The Chancellor will make final decisions. L. Gross asked if there was any data regarding how many CPR cases there have been, and it was estimated to be 25 cases out of the whole UT system, including the medical school. Of the 25 cases, half ended in retirement or leaving the university. The other ½ ended up in good standing with or without remediation. The General Counsel is currently working to figure out how data can be presented since this is privileged data and the low number of cases may make it easy to identify someone.
- In regard to implementation, there is a possibility that if faculty were to get an unsatisfactory this year, they would get a by so everyone starts at step 1. L. Gross asked about how this would work for part-tenure faculty? The presenters stated that the committee operated under the assumption of one evaluation for each person. If there is more than one evaluator, the General Counsel's office will need to put in a lot of extra verbiage.
- A question was raised about the projected number for CPRs over the next 18 years considering the low number we have had. Senators were reminded that the current trigger for a CPR is either two *Unsatisfactory* or two *Needs Improvement* evaluations within a 4-year-period. Under the new policy receiving an *Unsatisfactory* is failure. C. White noted that this policy protects faculty as well as they will review a 5-year period. The committee can change the decision to *Meets expectation*. The presenters were asked if the committee had checked with other universities to examine other policies. Approximately ½ of the task force members spoke to other universities. The Education Advisory Board was also commissioned

to do a study and found that everyone is all over the map. Aspiration schools were not a good fit.

- A question was asked what the process would be if a Department Head is found to be mean spirited, and it was explained that the higher bosses would take care of it pretty quickly. M. Beck stated that a faculty member can cop a plea. Financial threat. T. Boulet interjected that this can happen after termination or the CPR process can lead to this. Then the administration has a number of options for addressing the faculty member.
- R. Prosser, Head of the Appeals Committee expressed having lots of concerns including who would be doing the checks. If there is a single *Unsatisfactory* used as a trigger then there should be a check first. It was also raised that with the current timeline in place the issue is it would go to the Appeals Committee at the same time as it goes to CPR.
- Another senator expressed concern that there are a number of colleges who's Dean and Department Head are the same person. T. Boulet shared that in such cases the Provost decides. Another senator expressed that there is a lot of potential for extreme bias towards the people who are referred to CPR and for the deck to be stacked against the faculty. It was also noted that Department Heads and Deans have the opportunity to talk with the Provost more frequently and can facilitate a different kind of relationship than with a faculty member. "It's the fairness level of this draft that concerns me." It was explained that the Appeals Committee only looks at fairness and due processes, which is different because during a CPR the committee will also look at expectations.
- J. Hall asked if CPR committee is advisory, and T. Boulet responded, yes, they make recommendations. When asked if there is data regarding how often the Chancellor has rejected the committee's decisions and made his/her own in the last 18 years, he said he did not have that data. R. Kalyanaraman asked what the average number of years a CPR takes, and T. Boulet said, 3 years is not uncommon but it can go up to 5 years.
- Another member shared she was a Dean when the CPR was first put in place, and the current proposal is a much better plan. She applauds their work.

#### Guns on Campus (B. Ownley)

- B. Ownley asked if there is a desire to canvas the faculty about their opinions of guns on campus. The majority of Faculty Senators raised their hands.

#### **VIII. ADJOURNMENT**

The meeting was adjourned by B. MacLennan at 5:01 p.m.

Respectfully submitted,

Phyllis L. Thompson, Secretary