

FACULTY SENATE  
Minutes  
November 20, 2017

Absent: Joe Bailey, Tami Bland, Stan Bowie, Qing Cao, Vincent Carilli, Courtney Childers, Chris Cimino, Sarah Eldridge, Yuri Efremenko, Holly Greene, Martin Griffin, Heather Hartman, Qiang He, David Icove, Asafa Jalata, Sharon Jean-Philippe, Jackie Johnson, Michael Kent\*, Hyun Kim, Rebecca Koszalinski, Nicole Labbé\*, Jacob Latham, Mary Leitnaker, Tomás Martín-Jiménez, Larry McKay, James Myers, Katherine Newnam, Kristen Rearden, Arthur Ruggles, Casey Sams, John Schmisser, Reza Seddighi, George Siopsis, Soren Sorensen, Jennifer Stokes, Pedro Tomás, Brynn Voy, Scott Wall, Stewart Waters, Brian Whitlock, James Williams, Shellen Wu, Xiaopeng Zhao

Present by Zoom: Sadie Hutson

\*Alternates: Sean Schaffer for Nicole Labbé, Nick Geidner for Michael Kent

### **I. ESTABLISHMENT OF QUORUM**

E. Bernard established a quorum.

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

B. Lyons called the meeting to order at 3:30 p.m.

### **III. ANNOUNCEMENTS**

President's Report (B. Lyons)

B. Lyons marked this season of Thanksgiving by sending a message to the faculty expressing our deep appreciation of Chancellor Davenport's decision not to outsource UTK's facility services. He shared that Chancellor Davenport's decision was informed not only by financial considerations, but also by what is in the best interest of our students, staff, faculty, and the people of Tennessee. He explained that there is a belief that the UT Board of Trustees and the UTK Faculty Senate share a common set of goals rooted in the university's mission to teach, discover and engage. The UTK Faculty Senate appreciate the concern of the Board of Trustees for the needs of students, but we believe those needs are better served by highly qualified, experienced workers who are accountable and loyal to Tennessee. The UTK Faculty Senate is committed to responsible financial stewardship that is consistent with our mission.

B. Lyons further shared that questioning the state's effort to outsourcing facility services would not have been possible without the UCW, and he appreciates those who are fellow members. He stated the UCW has consistently advocated for the importance of higher education and the value of faculty and staff. Much of this work has focused on ensuring that wages and benefits for our lowest paid workers are improved, and that they have access to higher education for themselves and their families. The UCW has also been a consistent voice for diversity and inclusion, and like the AAUP, on the importance of tenure to ensuring academic freedom. He explained that faculty members help the university and ourselves by joining the UCW, since we are beneficiaries of a campus workforce that is committed and qualified.

Last week UT President DiPietro sent a survey to faculty to gather input on faculty evaluation, mentoring, and tenure and promotion. B. Lyons asked everyone to please participate.

As previously shared during the Faculty Senate retreat in August, the UT Board of Trustees is reviewing board tenure policies and procedures. B. Lyons stated efforts to audit college and department bylaws for compliance with the *Faculty Handbook*, is part of the Faculty Senate's effort to keep our own house in order. The Board of Trustees is responsible for defending the value of tenure to academic freedom, and this system wide effort to create consistent standards and processes is critical to protecting tenure and academic freedom from external political influences. Working through the University Faculty Council, the Senate Executive Council sent a set of recommendations last September that represent our recommendation for best practices that emphasize discipline specific tenure criteria for rank, and consistency of evaluation processes.

Tax reform proposals are now being considered by the US House of Representatives that would tax tuition waivers. Last week Interim Provost Zomchick sent an email to faculty about this proposed law, and efforts by The Association of Public and Land-grant Universities, the Council of Graduate Schools and the American Council on Education to call attention to the adverse impact of this law on higher education. With our low levels of stipends for many of our graduate students, this new tax code would be especially devastating. Regardless of your political affiliation, he stated that this is a bad law for higher education, and encouraged faculty senators to contact Senators Alexander and Corker to advocate against this provision of the proposed law.

The opening ceremony for the Veteran's Resource Center last Friday was a reminder of the importance of higher education in providing educational opportunities and a transition to civilian life for those who serve our country. The intersection of student life and academic support is critical for all students, but particularly veterans, who the Department of Veteran's Affairs estimate commit suicide at a rate of 20 people per day.

Vice-Provost Hinde has shared that the General Education Implementation Task Force is taking shape, and will commence its work next semester. There is a need to continue to encourage broad participation in this process, with every degree program considering ways to connect to this effort.

B. Lyons also stated that in July he sent an email message to the members of the Executive Council in which he disclosed confidential medical information, despite being specifically asked not to do so. The information disclosed has resulted in mischaracterization and misunderstandings. He said he regretted his actions because they negatively impacted a colleague, and are contrary to the standards we expect of a Faculty Senate President. He requested that this acknowledgement be made part of the minutes from this meeting, and that documentation of this incident will be included as part of his personnel file.

B. Lyons thanked Phyllis Thompson for serving as Secretary for this meeting.

#### UTK Chancellor's Report (B. Davenport)

Chancellor Davenport reminded everyone that within 3/4 of a year as Chancellor she has hired an Athletics Director, the first ever Director for the Pride Center, and a Director for the new Office of Title IX that she established on campus. She also made the decisions to bring back the Lady Vols and to opt out of outsourcing. Chancellor Davenport shared a few of the letters she

received from campus facility personnel, elected representatives, and individuals and businesses from Knoxville expressing their appreciation for her decision. She recognized the three resolutions that the Faculty Senate previously passed in support of opting out and wanted us to know about the powerful outpouring of appreciation because this support meant a lot to many people. Chancellor Davenport further stated that the financial aspects of this decision were not disregarded. She expressed thanks to the Faculty Senate for their efforts.

Chancellor Davenport said that she is pleased with the recent opening of the Veteran's Resource Center. UT currently has about 1,000 veterans attending and last summer the decision to waive their fees was made. The Alcohol and Tobacco task forces continue to work hard and the Cluster Hiring Initiative is also continuing to move forward.

She continues to think about other ways for students to have access to UT. Currently there is \$30 million in the budget from the Hope Scholarship but 1/3 of these students leave in their second year. The Provost has been working with the Associate Provost from Enrollment Management on a new program: *A Bridge Back to Hope*. This program will take some funds for a wrap around program to assist our current cohort of students who, though normally are not thought about as high risk because of their high achievements, are not persisting in completing their college programs.

Along with continuing to raise more scholarship money, Chancellor Davenport made a significant ask that would help to create an endowment that will fund the Pride Center.

L. Gross asked to clarify if 1/3 of the students who receive the Hope Scholarship leave UT in the second year or if 1/3 of the students lose their Hope Scholarship. Provost Zomchick stated that typically 25-30% lose their Hope Scholarship the first year. He was not sure how many of those who lose their Hope Scholarship leave. Chancellor Davenport said she would check on the numbers and get back to us.

Another concern, Chancellor Davenport shared is that UT's current graduation rate is ~70% and our underrepresented students are only graduating at 56%. She emphasized the need to work on retention.

J. Shefner thanked Chancellor Davenport for her work and asked about the UT system's perspective for maintaining tenure in the context of their recent survey. Chancellor Davenport stressed the importance of tenure and that the recent survey was to assess faculty perspective regarding the tenure review process.

#### Provost's Report (J. Zomchick)

Provost Zomchick also extended thanks on behalf of the Academic Affairs to the Faculty Senate, Facilities personnel, and Chancellor Davenport for her courageous decision.

*Early Alert Participation.* The retention goal for this year is 88%. Last year's retention rate was 85.51%. Academic Affairs had previously asked faculty to help reach out to students using Early Alert. The fall 2016 participation rate was 49%. This year's fall participation rate was 88%. Provost Zomchick stated this is excellent progress but we needed to have a 98% participation rate. He appealed to the Faculty Senate to discuss the need for faculty response when they receive an alert with their colleagues in order to meet the very ambitious enrollment goals that

will bring additional revenue to the university. This additional money will assist with providing more faculty members, more staff, more support for faculty, staff, and students. He further asked Faculty Senators to talk to colleagues within their departments about opening their emails from the Office of the Provost. Currently there is only a 38-40% rate of their emails being opened. He also asked that we tell them early alert is really important for student success. Once the office receives a response from faculty they will work hand in hand with our colleagues in student life so that resident assistants can reach out to students that are struggling.

Last spring Early Alert participation fell within the lower 30th percentile response rate so there will be another push this next spring for increased participation. Provost Zomchick noted there are about 80-100 students (little less than 2% of freshman) that earn between a 2.6 and 2.75 GPA at the end of spring semester. If students on the Hope Scholarship are below a 2.75 GPA and have attempted 24 hours they lose it. Now however, the *Bridge Back to Hope* program provides the ability to reach out to these students and to try to get them to retake a course in the summer. If students can then increase their GPA back to a 2.75 they become eligible for the Hope Scholarship again.

*Academic Performance Solutions Platform.* Provost Zomchick reported that the UT system has contracted with EAB, formally known as the Education Advisory Board, to use their Academic Performance Solutions Platform (APSP) for all of the campuses within the UT system. The Academic Performance Solution is a data and decision support platform that aims to look at efficiencies in instruction and the delivery in instruction. This goes along with the Board of Trustee's interest in academic program reviews and wanting to understand academic workloads. This is one element of the Board of Trustee's interest. The contract has been signed and UT Chattanooga has already implemented this product, which will likely be fully functional in the Spring 2018. The system product will not be fully functional here in Knoxville until fall 2018.

The APSP will combine student information, academic personnel information, and financial information. The program combines all this data together and comes up with things like cost of instruction. It also includes scheduling information in order to look at capacities. For example, use of rooms and how many sections are being offered without full enrollment.

L. Gross asked how the product deals with doctorate and post doctorate mentoring. Provost Zomchick did not know. They will be turning to faculty for their help to be able to communicate and convey the complexity of the faculty workload here considering the varying levels of research (e.g. undergraduate research project vs. mentoring doctorate students).

D. Garner stated that the UT System has formed a task force at all four institutions. The initial members are Denise Gardner, Assistant Provost and Director of the Office of Institutional Research and Assessment, R. J. Hinde, Vice Provost of Academic Affairs with the Provost Office, and Mark Savage, Executive Director – OIT Applications. The task force just started meeting and are having very complicated discussions on which data is most important to this campus.

*Cluster Hire Initiative.* The Office of Research and Engagement (ORE) has been sponsoring discussions on the topics/themes related to the Grand Challenges. (The topics were generated by the data gathered from the town halls and survey that was conducted.) The deadline for

preproposals for the cluster named for data sciences is December 11, 2017. Provost Zomchick explained the preproposals will then be forwarded to members of the task force that consists mostly of faculty from Knoxville campus, some from Oak Ridge, and also UTIA. After review, taskforce members will recommend which of the preproposals should be selected to move on to be developed into full proposals. He anticipates the due date for the full proposals will be about 6 weeks after the authors are notified. They are eager to have the first cluster identified so they can start searching to fill the faculty lines.

Provost Zomchick clarified that the eight themes ORE are currently sponsoring are not the only topics that will be considered for the next two clusters. There is a plan for the research development team within ORE to host meetings in early spring to facilitate additional themes from faculty. The last two clusters that have yet to be named will soon be open for preproposals. All proposals are welcome and there are no preconceptions or predetermined areas.

L. Gross asked if it is necessary for someone to identify units in which an individual might or might not be hired in a cluster or can these be open so the units can involve units across campus, across UTIA, and across parts of the UT system? Provost Zomchick replied that he does not think it's necessary to identify units in the preproposal. He stated that the requirements for each cluster include that they are transdisciplinary and that there is cross-collegiate involvement. At some point there will need to be evidence that there has been collaboration across colleges. In regards to the proposal, Provost Zomchick said he does not think it is absolutely necessary to identify single departments, nor would he require or encourage others to require that. Instead, applicants can identify a "cluster of possibilities in..." and then identify the areas such as biological sciences, mathematical sciences, arts and sciences, engineering, and UTIA involvement as an example. Then they will need to see evidence of collaboration, evidence of transdisciplinary thinking, and evidence of bringing people together who have a commitment to a common project. L. Gross summarized that the proposal is flexible and that someone could submit a proposal that does either or, and Provost Zomchick replied, yes.

T. Freeberg asked if the collected data on retention efforts have shown what the impacts are. J. Mastrogiovanni stated there is a study currently being conducted. L. Knox asked for clarification on if the data on First Alert is being looked at to help with retention, and J. Mastrogiovanni confirmed that the data is being examined and the results are promising. L. Knox asked about the process that occurs when a First Alert is sent out and shared that some students have expressed concerns that they might be failing. J. Mastrogiovanni shared that outreach is strongly recommended for students. Provost Zomchick stated that the institution is putting the support systems in place for assisting students and the use of these supports should be an expectation of faculty performance. He also reminded everyone that finance is the number one reason that students leave the university and that the Chancellor has established a fund for micro grants that can help students with emergency funds if needed.

#### **IV. APPROVAL OF THE MINUTES**

The Faculty Senate Meeting minutes of October 16, 2017, were moved for approval by L. Gross and seconded by G. Kaplan. Minutes were approved unanimously.

Faculty Senate Executive Council Meeting Minutes of October 15, 2017, were provided as an information item.

Faculty Senate Executive Council Meeting Minutes of November 6, 2017, were provided as an information item.

## **V. REPORTS OF STANDING COMMITTEES/COUNCILS**

### Graduate Council (J. Morrow)

Minute's and summary report of Graduate Council meeting of October 26, 2017, was presented in an informational packet prior to the meeting. There were no questions or discussions. B. Lyons moved to approve and the Minutes were unanimously approved as presented.

### Undergraduate Council (J. Chen)

Minute's and summary report of Undergraduate Council meeting of October 17, 2017, was presented in an informational packet prior to the meeting. There were no questions or discussions. B. Lyons moved to approve and the Minutes were unanimously approved as presented.

## **VI. REPORTS**

### Faculty Ombudsperson (B. Nugent)

B. Lyons welcomed B. Nugent and explained that the Ombudsperson report was requested because the Appeals Committee did not conduct any reviews in 2016-2017, and thought a report might indicate that many grievances are handled by the Ombudsperson Office.

B. Nugent stated that the most common types of issues that are brought to the Ombudsperson's Office has been faculty conflicts with other faculty, department heads, staff, and occasionally there is conflict between faculty and graduate students. The second most type of problems are about evaluation, tenure reviews, and retention reviews.

A recommendation that has been generated to strengthen the Ombudsman program and the University was to put the staff, faculty, and student ombudspersons in a common office together where they can work, collaborate, and possibly reduce any power differentiation. B. Nugent also advised that placing a panic button in the new office is a good idea for safety. He further stated that reducing ambiguity and developing clear bylaws that identify expectations of faculty are recommended for decreasing incidences of some conflict. Developing clear and specific goals and avoiding ambiguity is also recommended for evaluations. B. Nugent explained ambiguity creates contention when memories regarding such things as the percentage of research and percentage of service from earlier discussions between the faculty member and evaluator differ. In such cases, writing the percentages down would assist with protecting faculty members and department heads.

B. Nugent also strongly encouraged faculty to read the *Faculty Handbook*. As an Ombudsman he has spoken to many faculty members who have shared that they have never read the Handbook, nor seen it before. Finally, he asked Department Heads to please identify conflicts as early as possible. He explained that in the past few years the Ombudsperson's office has dealt with conflicts that have lasted as long as 20 years. In cases of intractable conflict it is very difficult to go back all the way to the point when faculty was hired and memories differed about what was agreed upon.

A major problem that stems from cases when faculty members are making complaints of being bullied is the lack of a clear definition of bullying. B. Nugent encourages the Faculty Senate and others to work on developing a well-defined bullying definition and developing policies around that definition. Finally, B. Nugent shared that there have been some cases where a graduate student is seeking help because he or she feels incredibly vulnerable due to conflict with a faculty member (primarily someone who is a dissertation chair or dissertation committee member). Recognizing that graduate students are vulnerable and that the new Student Ombuds' Office will help, he appealed to the Faculty Senate to put additional protections in place to assist doctoral students who get put into problematic circumstances with a faculty member and feel their future is at risk.

B. Lyons thanked B. Nugent for compiling the report with Elaine Wynn, Staff Ombudsperson. He then asked B. Nugent about his thoughts for bringing all three of the Ombudspersons together in the same office at OED or if it would be fine for the near term to have the faculty and staff Ombudsperson location at OED and the Student Ombudsperson's office at the new student union or some other location on campus. B. Nugent replied that ideally all of the Ombudspersons would be placed together in the same place but considerations such as who is around (i.e. confidentiality, feelings of safety to discuss the problems, etc.) when someone comes in seeking help needs to be examined. He explained that their current office at OED is not centrally located, which assists with confidentiality. Subsequently the question is complicated to answer because it depends on where the office would be located. Ideally though, the Ombudspersons would be in one office because then someone could call the office to talk about the conflict they are having.

B. Lyons then referred to B. Nugent's report and asked for clarification regarding the ways Faculty and Ombudspersons work with Human Resources. B. Nugent explained that the Staff Ombudsperson is the person who would be able to talk about the issues associated between their offices. He encouraged that anything that can be done to create a more collaborative relationship would help.

L. Gross shared that he had just completed a 2-hour training on how to write a personnel description. He asked if there is something that can be gained from looking at what Human Resources does in regards to faculty expectations when thinking about bylaws, units, and explicit expectations for faculty from Department Heads. B. Nugent suggested he speak to Elaine Wynn, Staff Ombudsperson, as he has not looked at Human Resource descriptions. B. Nugent stated his experience is - the more specific the descriptions are in a faculty members annual report in terms of goals for example, and the more specific the expectations are documented about what the workload is supposed to be - makes resolving problems easier when he can refer back to the record to help resolve arguments related to disagreements.

B. Nugent was asked if the ombudsperson acts as an advocate and if the ombudsperson has the power to make an initial recommendation in certain cases. He stated the way the ombudsperson has operated in the past is as an advocate for the university and for fairness. He explained the Ombudsperson makes sure that the process for addressing such problems as faculty evaluations and appeals unfolds properly. He said Ombudsmen are not advocates for the university per se, like a university attorney would be. They are also not advocates for individual faculty members and they do not have the power to make any kind of official recommendation.

In the past, the job of the ombudsperson has been viewed as the mechanism to conduct informal conflict resolution. If the Ombudsperson cannot succeed in that way the problem is forwarded to the university's formal appeals process. Then, technically, the ombudsperson is supposed to step out. The ombudspersons are not allowed to write an official report and file it with anyone.

B. Lyons stated that with the new EPPR we might see a changing landscape in terms of assessment of faculty with annual reviews or we may see the Appeals Committee take on more cases. R. Prosser, Chair of Appeals Committee, stated that it is a little early to know how the new EPPR is going to affect things. Usually if faculty are having problems with their evaluations the Appeals Committee would see it early in the year spring semester.

## **VII. NEW BUSINESS**

Resolution from the Benefits and Professional Development Committee (G. Kaplan and Jonathan Gushen, Director of Human Resources)

Currently the legislation requires that 50% of employees' retirement be annuitized if you are enrolled in the optional retirement program (Valic, TIAA), etc. B. Lyons stated that there is work being done across the state to reform this law and give employees full control over their retirement accounts. The proposed resolution is also being circulated across all the other campuses.

Link to Resolution:

[http://senate.utk.edu/wpcontent/uploads/sites/16/2017/07/BenefitsCommResolution\\_11.20.2017.pdf](http://senate.utk.edu/wpcontent/uploads/sites/16/2017/07/BenefitsCommResolution_11.20.2017.pdf)

The resolution on the ability to control retirement plan funds came before the Faculty Senate having been previously approved by the Executive Council of the Faculty Senate. The resolution was provided within the informational packet prior to the meeting. There were no questions or discussions. B. Lyons moved to approve and the resolution was unanimously ratified.

2017-2018 Faculty Senate Calendar (M. Anderson)

President Elect M. Anderson asked Faculty Senators to check the website for next year's tentative calendar, including the Faculty Senate retreat. B. Lyons noted that Sharonne Winston does not book any locations until the Faculty Senate approves the proposed calendar. He also shared that we were expecting to hold the Law room we are currently using next year but there is a possibility to move meetings to the new Student Union in the Spring of 2019.

## **VIII. ADJOURNMENT**

B. Lyons adjourned the meeting at 4:56 pm.

Respectfully Submitted,

Phyllis L. Thompson