Faculty Senate Executive Council
MINUTES
February 19, 2018

Attendees: Misty Anderson, Ernest Bernard, Monica Black, Rachel Chen, Louis Gross, Sadie Hutson, Greg Kaplan, Laurie Knox, Michelle Kwon, Beauvais Lyons, Crystal McAlvin, Sally McMillan, Samantha Murphy, Bonnie Ownley, Rebecca Prosser, Pat Rutenberg, Rob Spirko, James Williams, John Zomchick

Guests: Tim Cross, Beverly Davenport, Marisa Moazen, Robert Nobles, Dixie Thompson, Mehmet Aydeniz for Jennifer Morrow.

## I. CALL TO ORDER

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

## II. ANNOUNCEMENTS AND REPORTS

UTK Chancellor's Report (B. Davenport)

B. Davenport extended a message of gratitude for efforts to keep the campus safe and promote a strong statement about our views on the TWP presence on our campus. The senior leadership team met on February 19 and determined that there needs to be further discussion about what white nationalism is, and what that means for the campus. The Chancellor attended the Chinese New Year celebration on February 18 and felt great pride celebrating the beginning of the Year of the Dog with the campus. On February 21, Noma Anderson will be on campus to host an open forum and discuss the campus climate survey. Overall students reported feeling less excluded, less threatened, and fewer sexual assaults. An article published this morning in the *Knoxville News Sentinel* outlined faculty/staff sexual misconduct cases. UTK will begin reporting faculty/staff sexual misconduct cases. Work continues on fine-tuning VolVision. There will be specific goals set to increase the numbers of faculty. Dashboards will be added in order to look at metrics over time.

UTIA Chancellor's Report (T. Cross)

Chancellor Cross added his congratulations to the campus and Chancellor Davenport for the measures taken to keep the campus safe over the weekend. UTIA is moving to a change its web templates from Sharepoint to Wordpress. This will provide a more unified and organized appearance. There are 128 different offices off campus with the Ag Extension offices. IT security is an issue. One initiative is to standardize the technology infrastructure of all offices in order to make each one appear that they are all on campus. A town hall forum for UTIA is planned for Wednesday on the campus climate survey. Diversity is included as part of the strategic plan. There are plans to focus on the following issues: 1) Improving parking; 2) decreasing exclusionary conduct on the part of faculty, staff, and students; 3) encouraging reporting of unwanted sexual conduct; and 4) enhancing student support to decrease thoughts of leaving the university (even a year, two, or three years into the program). A faculty led team will assist.

Provost's Report (J. Zomchick)

J. Zomchick provided a brief report by highlighting the upcoming March Board of Trustees meeting. Important agenda items will include: 1) a new residency classification for students in distance education programs (pay only maintenance and associated fees), but not out-of-state

tuition and 2) credit hour fee charges to students enrolled in a part-time JD program. This would enable individuals to complete in 5 years at the same cost as a full-time three-year program. E. Bernard asked if the distance education fees would apply to online courses or online programs only. J. Zomchick indicated that the fee change pertains to online programs only.

President's Report (B. Lyons)
B. Lyons indicated that he would be driving to Nashville this week to meet with members of the House Education, Planning and Administration Committee to advocate on behalf of keeping voting student and faculty representation on the UT Board of Trustees. He thanked the campus leadership for their response to the TWP visit.

## III. APPROVAL OF MINUTES

R. Prosser moved approval of the minutes of the January 22, 2018, Executive Council Meeting. S. McMillan seconded. Minutes were unanimously approved.

## IV. INFORMATION ITEMS

Graduate Council Meeting minutes of November 30, 2017, were distributed with the agenda.

Undergraduate Council Meeting minutes of January 30, 2018, were distributed with the agenda.

## V. NEW BUSINESS

Draft Revisions to *UTK Faculty Handbook* Chapters 3-4 (M. Kwon)
All of the changes in red are those that were proposed. The text highlighted in yellow are the suggestions that arose from the Faculty Senate meeting on February 5. The NTTF Committee offers an alternative in section 4.3 on page 15 line 615-629. This requires the hiring unit to provide a written record of workload distribution and responsibility. This written record would be prepared yearly and become part of the annual review. A few suggestions were made:

- Line 376 - remove the word "research."
- Line 415 - remove the word "clinical."
- L. Gross provided a suggestion for line 192 - Joint faculty members… add "typically carry."
- For line 200, the text indicates that joint faculty members are evaluated on their allocation of effort. Presently, this isn't done and would add to the workload of the faculty. J. Zomchick suggested that joint faculty members should be evaluated in their home unit with input as appropriate from other units. The primary department is who processes merit, raises, etc.
- In lines 562-564 — staff exempt employees—end sentence after "given adjunct faculty appointments."
- S. Murphy asked about section 4.3 line 615. Her question was about whether she could get a course release for research if she is hired for 100% teaching. L. Knox indicated that line 622 language addresses this question.
- Line 696 - The unit would provide the expectations for reappointment yearly and the University sends a letter every three years. These are administrative processes that do not need to be reflected in the *Handbook*.

Council members were asked to convey additional ideas to M. Kwon as soon as possible for incorporation.

Faculty Senate Bylaws Changes for Campus Representatives to TUFS and COIA (B. Lyons)
The proposal addresses a process for establishing TUFS and COIA reps. Who will elect the TUFS rep? FSEC can select a TUFS rep in the spring for the following academic year. B. Lyons made a motion that representatives will be selected by the FSEC based on a general call for self-nominations. One impetus for putting it in the bylaws is to make more explicit our process for selecting representation. B. Lyons moved approval, G. Kaplan seconded, unanimously approved with the Executive Council selecting representation for both assignments.

Proposal for $350 from the Shared Governance Fund for TUFS Website Domain (B. Lyons)
TUFS has a website that has currently languished on the UT Memphis server. B. Lyons proposed spending the $350 to purchase a website domain for TUFS. L. Gross moved approval, G. Kaplan seconded. Unanimously approved.

Discuss Response to HB2115, Changing the Composition of the UT Board of Trustees (B. Lyons)
A resolution approved by UTC and UTHSC was discussed. The recommendation indicates that having 11 members is too small to complete the work of large, multi-campus university system. The BOT should be amended to 15-16 members with stronger connections to UT campuses and institutes to include one voting student and one voting faculty trustee. The other campuses proposed four reps: 2 students and 2 faculty trustees, one voting and one non-voting from each group. L. Gross moved approval, G. Kaplan seconded. Unanimously approved.

The Approval Process for Bringing Curricular Proposals through the Graduate and Undergraduate Councils Could be Streamlined to Allow for Electronic Approval of Minutes (B. Lyons)
The basic principle is that within 10 days the minutes will be distributed electronically to the committee with one week to vote. D. Thompson asked that we allow these procedures to work within the structures of the respective councils. The principles need to be amended to reflect that the revisions to the minutes after a feedback period will be re-sent to the group prior to a vote. R. Chen, chair of the Undergraduate Council read the new process of the Undergraduate Council. B. Lyons provided one objection, which was that the vote should be affirmative, requiring all members to cast an electronic vote in favor of approval of the minutes, rather than passive, with a majority having to approve the minutes. S. McMillan asked that staff be allowed to review all procedures before voting. It was agreed that the Graduate Council and the Undergraduate Council will present a set of electronic voting protocols for the March 19 Executive Council meeting.

Undergraduate Council Proposal on Research (R) Designated Coursework through ORE (See pp. 277-280 of the Undergraduate Council Minutes January 30, 2018) (M. Anderson)
M. Moazen was present for the discussion. M. Anderson expressed a concern about new undergraduate research courses. These can now be taught by staff or faculty members. First Year Studies courses were developed to put undergraduates in front of senior faculty earlier in their studies. M. Moazen outlined that there are two proposals: one is for the Office of Research to be designated as an academic unit, and the other is to address the designation of the courses. M. Moazen stated that the intent is that faculty teach these courses. She was asked to find a solution to the problem of transcripting academic credit for students who want to take research related courses with a faculty member outside of their home department. J. Zomchick indicated that he made a recommendation against creating the Office of Research as an academic unit. The transcripting of academic credit should remain with the faculty. A brief

discussion ensued about proposing an independent study and special topics course. L. Gross suggested that credits should be awarded in the student's home department.

Discussion of Board of Trustees Proposed New Policies on Tenure (B. Lyons)
The proposed revision, summary of proposed revision to Board Tenure Policy, and the proposed BOT Policy on Expanded Application of the EPPR were all distributed in the agenda prior to the meeting.

There are a number of areas of concern. First, are the respective duties of the Board and administration. The Board is a policy-setting entity. The campus administration and the faculty are involved in implementing these policies. Without a firewall between the Board and the administration, EPPR processes could have a chilling effect on academic freedom. Another area of concern is with the terminology, "peer-review." The policy proposes two (2) kinds of peer-review: a) all faculty would be peer-reviewed in a program that demonstrated a weakness in an academic program review; b) all tenured faculty would receive a comprehensive peer-review no less frequently than every six years. M. Black asked who writes Board policy. B. Lyons responded that the Board writes policy in consultation with the Office of General Counsel. However, the campuses also translate Board policies into faculty handbooks and manuals for faculty evaluation. D. Thompson indicated that about 15 years ago a mandatory post-tenure review on a five-year cycle for all tenured faculty was tried. It was conducted one time and suspended because it didn't work, and there were no resources to put behind ensuring the procedures could be carried out. L. Gross said that the meaning of "comprehensive peer-review" suggests external review as is done with promotion and tenure evaluations. This is an extremely burdensome process; UTK would stand as an outlier against other institutions if this were implemented. M. Anderson asked whether there is a way to suggest that we have EPPR and need time to implement it; when post-tenure review initiatives have been implemented in the past, they have been incredibly onerous and unsustainable. R. Prosser reminded the committee that if faculty are not satisfied with the process, they may go through the Appeals Committee. There are multiple avenues already in place for faculty if they are concerned about the decision/appropriateness of the process. L. Gross suggested a possible resolution that "as a Faculty Senate, we feel that such an action by the BOT to require comprehensive peer review every six years would severely damage our capability of hiring and retaining quality faculty as well as campus leadership." Subsequent discussion ensued surrounding the idea that post-tenure review policies are difficult to implement.

There is a need to understand what is meant by "peer-review." Further, the intent of this policy is to identify underperforming faculty. This may help us to identify interventions to improve faculty performance. M. Black indicated that faculty are also concerned about the concurrence of this proposed policy change and the UT FOCUS Act to reduce the size of the UT Board of Trustees. T. Cross offered that the Board is concerned about how it appears UTK does not have many underperforming faculty. B. Ownley indicated that we do have underperforming faculty, but they resign before they go up for tenure or they retire when a cumulative performance review is initiated. L. Gross indicated that the Ecology and Evolutionary Biology Department completed analysis of this, confirming the rigor of the review process, as well as a pattern that we also lose some faculty to other universities. J. Zomchick also noted that this data is being collected. Much of this information has been relayed by department heads and recorded in IRIS. However, IRIS only has a set number of codes and one is "employment at another university." This could cover a vast number of circumstances. B. Davenport suggested that it

would help to analyze what the percentage of faculty who are hired are ultimately tenured. Another suggestion is to conduct a prospective analysis of the number of people who were hired on a certain date and look longitudinally to see where they have gone. S. McMillan noted that this is about post-tenure and needs to be addressed directly. The FSEC feels that we have a post-tenure review process in place with EPPR and that the emphasis should be on the clarity of performance criteria, the consistence of evaluation and the candor of the reporting. Perhaps we can we provide annual review summaries and train department heads using a systematic process to report underperformers? Further, perhaps a sub-population of at-risk performers could be identified before they are underperforming? We have not yet implemented the new EPPR process for a full cycle. R. Spirko suggested that we produce an infographic that demonstrates the percentage of individuals who become graduate students, earn degrees, gain academic employment, and ultimately are awarded tenure. It was noted that the Office of General Counsel has not yet provided the approved language on the implementation of EPPR for our own *Handbook*. J. Zomchick stated that it seems inefficient to have a process for evaluating everyone to determine those who are not meeting expectations. M. Anderson suggested that we use Elements as a way to catalog our efforts. As he is traveling the next 36 hours, B. Lyons asked that a core group create a statement outlining key issues. M. Anderson will chair the subgroup with B. Ownley, S. Hutson, S. McMillian and M. Black as members.

Also included with the agenda were Post-Tenure Review — An AAUP Response, and Statement on Government of Colleges and Universities.

**VI. REPORTS OF STANDING COMMITTEES**
Standing Committee reports were included in the agenda.

**VII. ADJOURNMENT**
B. Lyons adjourned the meeting at 5:13 p.m.