

Faculty Senate Executive Council
MINUTES
March 19, 2018

Attendees: Misty Anderson, Ernest Bernard, Monica Black, Rachel Chen, Louis Gross, Qiang He, Sadie Hutson, Greg Kaplan, Laurie Knox, Beauvais Lyons, Bruce MacLennan, Crystal McAlvin, Sally McMillan, Jennifer Morrow, Samantha Murphy, Bonnie Ownley, Rebecca Prosser, Pat Rutenberg, Rob Spirko, James Williams

I. CALL TO ORDER

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

II. ANNOUNCEMENTS AND REPORTS

President's Report (B. Lyons)

B. Lyons reported that the Chancellor has asked for representatives from the Faculty Senate to serve on a committee that awards honorary faculty degrees. M. Black and L. Knox both volunteered to serve. B. Lyons encouraged discussion today on the proposed changes to tenure policies being considered by the UT Board of Trustees. The outcome of the process is still to be determined; a group of nine past-presidents sent a letter with supporting documents on March 16 in an effort to assist board members in gaining an understanding of faculty concerns. The efforts thus far have emphasized the need for, and process of, proposing changes, as well as to underscore the importance of maintaining normative standards of university governance, clarity in the policy language, and protecting faculty from unnecessary regulations. He said it is frustrating that the system administration and Board present the status quo as though a post-tenure review process is not already in place. The chief academic officers have supported the position of the Faculty Senate that the PPPR policy, if implemented, should focus on a review of the materials submitted for annual review rather than a review of faculty performance similar to that of an EPPR or a tenure/promotion review. B. Lyons expressed gratitude that L. Gross, Chair of the Budget and Planning Committee, assembled a cost of implementation of PPPR that is based on the typical effort needed to conduct an outside review for promotion and tenure (based on three members of a peer review committee, each spending two days to review the dossier and one day for writing the reports). Gross estimated the need for 108 reviews annually, assuming that only half of the associate professors would require this process as they would be candidates for promotion to full professor. His calculation, based on the average daily salaries of two full professors, one associate professor, indicates that the cost of implementing PPPR would be \$804,816 annually. This estimate is based on a review of only research, scholarship and creative activity; certainly, evaluation of service and teaching could easily be twice this estimate. The estimate does not include the administrative and staff time to set-up the review teams, compile the appropriate materials, distribute them to the faculty to do the review, or for any central effort at Dean or Provost level to organize and compile the reports. Taking into account all of these factors, the cost to the implementation for UTK and UTIA could be well over 2 million dollars in faculty and staff effort. It is prudent to ask whether this is a good return on investment to have more than half of the tenured faculty spend a week every year implementing such a process when well over 95% of faculty are meeting expectations for rank. The time and effort that is involved in enacting this process would take faculty away from the meaningful work they do each day to fulfill the University's tripartite mission. B. Lyons will share these arguments when the Academic Affairs and Student Success Committee meets in Memphis on 3/23/18. B. MacLennan and B. Lyons will attend the University Faculty Council

meeting on 3/22/18. On March 20th AAUP and the United Campus Workers are hosting a rally at the Torchbearer at noon to call attention to concerns regarding the importance of tenure to academic freedom, and the redundancy of the proposed changes. B. Lyons has made four trips to Nashville to meet with legislators about the UT Focus Act. The central focus of these meetings has been to stress consistency between the UT Board and the new boards established with the 2016 FOCUS Act for the six locally governed institutions (LGIs), which have a voting faculty trustee and a non-voting student trustee.

B. Lyons met with Joseph R. Stainback who is working as an Assistant Research Integrity Officer with R. Nobles. Part of his assignment is to strengthen awareness and training in Responsible Conduct of Research (RCR); he is specifically looking at the institutionalization of RCR across the campus and the creation of an authorship procedure. Given issues surrounding a recent flawed environmental impact study at Tennessee Tech, and broader issues related to funded research, it is important that ethics in research remain a high priority. A recent survey of faculty indicates that colleagues in the natural sciences and engineering are most attentive to RCR issues. J. Stainback will work with Q. He, chair of the Research Council and M. Kwon, chair of the Faculty Affairs Committee. Compliance needs to be examined broadly, encompassing RCR, IRB, Title IX and IT Acceptable Use Policies as reflected in Chapter 2 of the *Faculty Handbook* on Faculty Rights and Responsibilities.

Last month, \$350 from the Shared Governance Fund was approved as an expenditure to support the acquisition of a domain name for TUFs. Rob Spirko reports that the total expense will only be \$180. TUFs will meet in Cookeville the first weekend in April; Martin Griffin will be the voting representative at this meeting. He also encouraged the Council to attend meetings with the remaining two provost candidates, as well as contacting colleagues at their current and former institutions to garner independent assessments of their leadership.

Following our approval of the proposed *Faculty Handbook* changes for chapters 3-4 at the March 5th Faculty Senate meeting, B. Lyons forwarded the resolution and materials to the office of the Provost and the Office of General Counsel. The UTK Graduate Council enacted a major change this year to effectively eliminate the credentialing committee and create five clearly-defined categories for faculty to chair or serve on PhD committees. The revised policy grants automatic authority to chair or serve as a member on any PhD committee for tenured or tenure-track faculty members holding a doctoral degree or joint faculty holding a doctoral degree, and also addresses the role that certain non-tenure track faculty, faculty from other institutions and emeritus faculty may serve. This change makes us congruent with peer institutions and reflects the growing strength and qualifications of the faculty. All committees should be in communication with President-Elect Anderson about plans for who will chair committees next year. All committees should compile a year-end report summarizing work conducted and areas for focus for next year by May 1. B. Lyons shared that he received a thank you from the Chancellor about the resolution regarding the TWP presence on campus.

President Elect's Report (M. Anderson)

M. Anderson reported that all senate elections have been launched with the exception of CEHHS. As of today, response rates are between 34-72%. Reminders will go out to those who have not responded. She shared handbills for PLAY it OUT, a theatrical-based discussion project which is underway to support community conversation around many of the controversial events that have been experienced on campus this year, including gender and race relations. There will

be four or five scenes. M. Anderson will be seeking funding from the Wallace Foundation if this pilot is successful. Several of the scenes are humorous. Steve Sherman is the playwright; the director is Ian Paul Messersmith.

UTK Chancellor's Report (B. Davenport)

No Report from Chancellor Davenport due to illness.

UTIA Chancellor's Report (T. Cross)

No Report from Chancellor Cross due to travel.

Provost's Report (J. Zomchick)

No Report from Interim Provost Zomchick due to travel.

III. APPROVAL OF MINUTES

L. Gross moved for approval of the February 19, 2018, minutes of the Executive Council Meeting of February 19, 2018. R. Prosser seconded, minutes were unanimously passed.

IV. INFORMATION ITEMS

Graduate Council Meeting minutes of February 8, 2018, along with a summary report, were distributed with the agenda.

Undergraduate Council Meeting minutes of February 27, 2018, along with a summary report, were distributed with the agenda.

V. NEW BUSINESS

Discussion of Board of Trustees Proposed New Post-Tenure Review Policies (B. Lyons)

A message was sent to all faculty this morning to let faculty members know how the Senate is working on this important issue. M. Black announced that there would be a rally on 3/20 at noon at the Torchbearer being supported by AAUP and UCW. She urged everyone to come out to support; that this is a matter of tremendous concern to the faculty. It is important to remember that these policies do not unfold in a vacuum. Concern was expressed that the Tennessee Legislature has positioned themselves to attack the university over and over. L. Gross asked a question regarding Enhanced Post-Tenure Performance Review (EPPR). The manner in which tenure is considered in a department is guided by board policy, the *Faculty Handbook*, and the *Manual for Faculty Evaluation*. He said that some of the proposed measures are there because they haven't been enforced by campuses other than UTIA and UTK. This seems more prescriptive than what is in the *Manual for Faculty Evaluation*. Pertaining to external review – PPPR page 11 – there is a statement that "external reviews are to be solicited when deemed necessary by the peer review committee or the Dean." L. Gross noted that when there isn't the expertise on campus, it will force us to get an external review committee. This is an important reason to advocate for postponement of these proposed changes. A faculty member could say that in an unfavorable situation, the internal committee doesn't know the area of research because experts aren't available for review. M. Black noted that as each one of these points gets raised, this policy becomes messier and more unclear. L. Gross asked about the size of the peer review committee and indicated that if there is no rationale for changing the policy, as the reason for any proposed changes has not been justified.

Discussion of Several Bills Impacting Higher Education (B. Lyons)

UT FOCUS Act, HB2115/SB2260. B. Ownley and B. Lyons are going to Nashville to address the Senate Education Committee on 3/21/18. The house version of the bill does allow for a non-voting student trustee. There are differences between the house and senate bills, so this may get complex if both bills pass. A key argument in our communications has to do with consistency with the UT 2016 Focus Act, which has faculty and student trustees at the LGIs.

HB2230 SB2180 Transparency in Higher Education Act. This bill requires each state institution of higher education to make available on its website a list containing the title, author, and publisher of all reading, video, and audio materials required for each course offered as part of an associate or baccalaureate degree program and the details of any assignment required for students enrolled in each course; requires that the list be made available before the start of each semester and updated as necessary. Last week there was a Zoom meeting of Chief Academic Officers. M. Black suggested writing an email to all alumni about this and the Focus Act. S. McMillan asked whether we know how other states are addressing similar bills. R. Prosser asked what the problem is that they are trying to solve. Anthony Haynes is working on responding to this bill.

HB0738/SB0734 - Efficiency Audit Committees – Sponsored by Martin Daniel. This bill will require efficiency audits to be performed for public systems of higher education and public institutions of higher education; creates the joint higher education efficiency audit committee. B. Lyons indicated that this bill has a huge financial burden attached to it, and may not pass for this reason.

Proposal for \$447.43 (amended price by B. Lyons) from the Shared Governance Fund for Legislative Travel (B. Lyons)

B. Lyons submitted a proposal for \$447.43 from the Shared Governance Fund for Legislative Travel. L. Gross moved approval, G. Kaplan seconded, unanimously approved.

VI. REPORTS OF STANDING COMMITTEES

Appeals Committee (R. Prosser)

No Report.

Athletics Committee (J. Williams)

No Report.

Benefits and Professional Development Committee (G. Kaplan)

No Report.

Budget & Planning Committee (L. Gross)

L. Gross noted that there is presently a new set of peers for UTK and UTIA that impacts the annual salary study. For the past several years, the salary study was done as a comparison to the Top 25. He questioned whether this is still the goal. The new comparison is with aspirational peers. With this new set of peers, faculty are suddenly making 10% more than the comparable peer institutions. M. Black indicated that among the eleven comparable peer institutions, many of them do not have some of the departments we have. The most recent salary data demonstrates that our faculty make an average of \$5,000 less than those listed as aspirational peers. Data are not presently available. L. Gross will ask if we can get it from OIRA.

B. Ownley noted that Clemson is the only comparable peer institution that uses EAB. We will, as departments, have to identify our own benchmark data. M. Anderson asked about administrative salaries. B. MacLennan noted that these are very difficult to compare based on the diversity of administrative titles that are used at various campuses. L. Gross said that he does not expect to have a robust salary study this year because of the inability to make good comparisons. R. Chen asked if there is a way to find out how the comparable and aspiration institutions are treated by their respective boards and legislators. R. Prosser asked whether we know what prompted this change in the institutions. B. Lyons replied that the change came out of the UT Board Finance and Administration Committee last summer and was approved at the June BOT meeting. M. Black asked if anyone would be willing to do an analysis of this new set of peer institutions. B. Lyons noted that there is also an additional new set of peer institutions for the UT System and yet another for UTIA. B. Lyons noted that one of the things we need to ask the Provost candidates is about how academic programs are funded and their philosophy on this.

Diversity & Inclusion Committee (M. Black)

No Report.

Faculty Affairs Committee (M. Kwon)

No Report.

Graduate Council (J. Morrow)

Minutes and summary report were included with agenda, as well as electronic voting procedures.

Library and Information Technology Committee (M. Collins)

No Report.

Non-Tenure Track Issues Committee (L. Knox, C. McAlvin)

No Report.

Research Council (Q. He)

Q. He reported that on April 11, 2018, the new VC for Research will be introduced at the Research Council Meeting.

Teaching & Learning Council (S. Murphy, P. Rutenberg)

Report was included with agenda.

Undergraduate Council (R. Chen)

Minutes and summary report were included with agenda. R. Chen reported that the members for new Gen Ed implementation committee are in place and the website has been updated with the subcommittees. A description of how to apply for S and R course has been posted on website. An FAQ is being developed for posting.

University Faculty Council (B. MacLennan)

Report was included with agenda.

University System Relations Committee (S. McMillan)

Report was included with agenda. S. McMillan reported that the committee is meeting regularly with each VP. Meetings are interesting; lots is learned/discussed.

VII. FOR THE GOOD OF THE ORDER

B. Lyons asked whether Strong Hall would be an appropriate place to hold senate meetings next year; the Council members agreed. The Council also discussed using the Scripps Convergence Lab for future FSEC meetings so as to be closer to Andy Holt Tower.

VIII. ADJOURNMENT

B. Lyons adjourned the meeting at 4:58 p.m.