

## **MINUTES**

### **Faculty Affairs Committee**

**Friday October 25, 2021, 3:30-5:00pm**

**Zoom:** <https://tennessee.zoom.us/j/4604281435>

**Members Present:** Beauvais Lyons, Thomas Berg, George Dodds, Cheryl Greenacre, Judson Laughter, Kai Sun, and Jessica Westerhold

**Members Absent:** Justin Jia, Mary McAlpin

**Guest:** Diane Kelly, Vice Provost for Faculty Affairs

**Approval of the Minutes:** September 27, 2021 and October 13, 2021 (reviewed electronically in advance and approved)

### **Report from Beauvais Lyons on Status of the Bylaws Audit**

Beauvais shared a document with information and communications with several colleges and departments with updated links for bylaws since the audit was issued. He said there are communications with Suresh Babu from the Bredeson Center to audit their bylaws, and add them to the document. Jud reminded the committee about the importance of faculty authority over bylaws revisions and approval in the *UTK-UTIA Faculty Handbook* 1.6.3 (p. 4) on Effective Departmental Governance which states: "Successful governance of a department is critical to achieving the teaching, research, and service missions of the unit. The collaboration of the department head and the departmental faculty is an essential cornerstone of this success. This collaboration is best implemented through departmental bylaws that define the policies and procedures of the department, and a departmental strategic plan that articulates the vision for the future of the department. Ideally, the head is but one voice in the construction of such documents with the added responsibility of guiding the faculty toward a clear articulation of their policies and vision. Faculty members are responsible for participating constructively in the creation of these documents, which should represent a strong departmental consensus. Departmental bylaws must be congruent with college and university rules, and the *Faculty Handbook*. The bylaws address issues, such as the governance structure of the department; search process for new tenure-track faculty; departmental voting protocols; criteria for promotion, retention and evaluation of tenure-track and tenured faculty members; selection, evaluation and roles of non-tenure-track faculty members in the department; input into criteria for evaluation of department heads; application of faculty evaluations to salary adjustments; and the role of the faculty in setting departmental budget priorities. A departmental strategic plan discusses the needs, goals, and aspirations of the department, providing guidance to both the head and the faculty members about achieving departmental objectives in teaching, research and service. Such plans should be constructed and revised as necessary in the context of college and university goals." Beauvais indicated that he would create a shared Google folder with documents related to the bylaws audit, and invite members of the committee to assist.

### **Status of Items Being Implemented by Administrative Action:**

- Clarify retention reviews and APPRs following a tenure-clock suspension as a result of the new parental leave policy. (as discussed on 9-27-21 and finalized in subsequent emails). Diane indicated that this revised policy is now posted on the Provost's website, is being shared with the Faculty Senate Budget and Planning Committee, the Faculty Senate Benefits and Professional Development Committee, and the Commission for Women, and could be added to the Handbook.
- Since we are no longer asking people to submit paper copies for the *Assembly of the Tenure and/or Promotion Dossier*, Item three describes "Number of copies required," and instructs people to provide "four copies of the original." This will be removed from the appendix to reflect the new, electronic procedures. (as discussed on 9-27-21) Diane indicated that this change will be implemented for the next promotion and tenure cycle.

### **Items Currently Under Preliminary Review**

- Ombuds section (5.2) changes (approved by the committee on September 27 and sent to the Office of General Counsel) Diane indicated that the key issues in the current draft relates to the question of legal aspects of the proposed language.
- Recommendations from the Task Force on Bullying. Diane indicated currently under review by the Office of the Provost, and to be sent to the committee when sent to the Office of General Counsel for review.

### **Items for Discussion:**

From the Equity and Fairness Report to the Provost, review the practice of conducting retention votes for tenure-track faculty placing more emphasis on qualitative assessment. (previously discussed on 9-27-21)

The discussion focused on the retention review process, considering the following two recommendations:

- From the Report: *The outcome of retention votes (retain versus not retain) should be shared with Assistant Professors, but the exact vote count should not be shared for those being retained.*

About this recommendation, Diane indicated that if any vote is taken, a faculty member has a right to see the results, so this proposal is effectively unworkable. The Office of the Provost has heard concerns from some faculty that the initial retention votes during the probationary period can be discouraging, while the retention meeting narrative is regarded as more constructive. Much discussion focused on the importance of the narrative compiled as part of the retention meeting. As conducting votes prior to the

mid-cycle review may be premature, it was suggested that the reviews that are conducted before the mid-cycle review might not involve votes, but stress the narrative summary of the discussion at the retention meeting. One suggestion for pre-mid-cycle-review reviews that don't include votes would be to include items like Strengths, Areas for Improvement, Necessary Supports from Department/College.

- From the Report: *A clear case should be made for casting a "no" vote for retention, tenure, or promotion and a discussion of such a case must be included in the department tenure or retention letter. "No" votes should be discarded if there is no clear explanation for a vote against retention, tenure, or promotion in the department tenure or retention letter.*

There was general agreement with the concept that "no" votes for retention, tenure, or promotion should be accompanied by justification, but that the lack of such justification should not disqualify any votes, out of concern for preserving anonymity of voting. Members of the committee shared their own experiences with negative votes in the process, and without justification, attributed such votes to personal or disciplinary bias. Tom reported that the College of Nursing requires justification for any no votes. It was suggested that a rubric might be developed that could accompany all votes that might allow for faculty to indicate strengths and weaknesses that inform their vote.

Discussion of the PPPR Report to the Provost (attached with the agenda) and proposed APPR policy revisions as reflected in the two initiatives pasted below:

***Initiative 1: Provide college guidance to the unit heads on the expected structure of the APPR written narratives they provide at least once every three years***

*The unit head narratives vary significantly in breadth and depth across campus and this makes it difficult for external constituencies to determine the expected level of accomplishment and how the accomplishments of individual faculty members compare to disciplinary expectations. The working group recommends that guidelines for the expected structure of the narrative be provided to unit heads. For example, the expected narrative structure could involve a brief broad overview/summary followed by appropriate section headings (e.g., Teaching, Research/Scholarship, Service), individual statements describing the accomplishments of the faculty member in each of the categories, and a brief statement of how this level of accomplishment meets, exceeds, far exceeds, falls short, or falls far short of expectations. The narrative could close with a paragraph discussing the faculty member's progress toward the previous year's goals and the goals for the upcoming review period. By nature, the actual structure of the written narratives will vary by college, and the structure developed at the college level should meet any relevant stated requirements, but a standard starting point used across campus will still be useful.*

***Initiative 2: Accommodate periodic enhanced review into the current APPR system for post-tenure faculty.***

*The current APPR system is focused on short term goals (a year at a time) while faculty careers span decades and often occur in phases: early, mid, late career, for example. The working group recommends that at a longer frequency (e.g., 6 years or every two cycles of the current three-year narrative with some flexibility for timing), post-tenure faculty members prepare an enhanced performance narrative as part of an enhanced APPR (EAPPR) that focuses on the faculty member's long-term impact to the profession/discipline to date, reflection on impact in the last 6 years (since the last enhanced review), and a set of longer-term goals (e.g., 4-6 years). Colleges should provide guidance on an appropriate page limit or expectation for length. College P&T committees could be engaged in reviewing these enhanced reviews, providing feedback and an opportunity for the faculty member to revise before making recommendations to the dean. For colleges without departments, the 6-year enhanced APPR would be reviewed outside the college, thus satisfying the requirement for external review.*

The committee generally agreed with the direction of these recommendations, noting that a thorough and consistently applied APPR negates the need for post-tenure review. It is unclear how the UT Board of Trustees might regard the concept of the EAPPR might work to replace the current PPR policy. It was proposed that the Office of the Provost and the Faculty Affairs Committee might hold a forum open to both faculty and administrators to discuss these proposed initiatives.

- Review handbook language (3.12) on the termination of tenured faculty members for cause regarding the meaning of “consultation with the president of the Faculty Senate or the Faculty Senate Executive Council.” Proposed revision would (1) more clearly define the meaning of consultation and (2) would revised policy to involve consultation by the Chief Academic Officer with “representatives of the Faculty Senate consisting of the Faculty Senate President, the Immediate-past President and the President-Elect.” This proposed change has been discussed with the Provost and the Office of General Counsel, and handbook language will be drafted for future action.
- Recommend the requirement of a subpoena before releasing personnel information in cases involving criminal charges against a faculty member. It was noted that the university has agreed to this principle as part of their administrative policies, but whether it would be reflected in the Faculty Handbook is still an open question. It was noted that typically subpoenas do not permit an employer to notify the employee of their existence.

### **Items for Future Discussion at the November 22 Meeting**

- Implement more inclusive language for the handbook. Diane will be sending this document before the November meeting for committee review.
- Work with the NTTF Issues Committee on handbook concerns related to concerns about 4.1, 4.2, 4.3, 4.7 and 5.6 in the Faculty Handbook. Beauvais and Jessica will be invited to

a meeting with chairs of the NTTF Issues Committee (Langendorfer and Stanley) to discuss some of these concerns in advance of the next meeting.

**Adjournment at 5:00pm.**

**Final (Regularly Scheduled) Meeting this Semester:**

Monday November 22, 3:30-5:00pm