

Faculty Senate Committee/Council Summary Reports
Updated for Faculty Senate Meeting November 15, 2021

(From Faculty Senate Executive Council Meeting November 1, 2021)

Faculty Senate Committee/Council Reports:

1. Appeals Committee

- a. At the October 28, 2021 meeting, the Appeals Committee approved two resolutions. Both are designed to assist in improving and reforming our appeals system and involve an external and an internal orientation, respectively.

The first resolution established an Appeals Research Group with three members (Monica Black, Jessica Hay, and Gary Skolits). The ARG's charge is to survey and compare faculty appeals and grievance procedures at peer and aspirational institutions, with the goal of mapping out a set of potential reforms and improvements to the system at UTK, which has been revealing some inadequacies over time. The ARG will submit its report to the full Appeals Committee and, following approval of the report, to the Faculty Senate.

The second resolution established a new procedure for staffing review panels (the investigative body set up when the Appeals Committee takes on a case).

Further details can be provided to Senators upon request.

2. Athletics Committee (No Report)

3. Benefits and Professional Development Committee

- a. October 12, 2021 – Meeting Minutes

Present: Jeremy Chandler, Anne Ho, Laurie Knox, Stephanie Madison, Elena Shpak, and Liz Teston

Absent: Brad Case, Tony Estep, Andrew Griffith, and Forbes Walker

Reviewed draft of the new UTK Faculty and Family Care Policy

Diane Kelly, the Vice Provost for Faculty Affairs, attended the meeting and shared her draft of the new policy. The new policy was drafted to align with the UT System parental leave policy that went into effect on July 1, 2021.

The new policy describes the following for TT and NTT faculty on 9-month appointments:

- Paid Parental Leave
- Parental Modified Duties Assignment
- Faculty Modified Duties Assignment
- Leave of Absence Without Pay
- Faculty Leave and APPR

The new policy also discusses the influence of TT faculty leave on suspension of the probationary period. We asked questions about the new policy and suggested a few revisions. We discussed the next steps for the Faculty Senate related to this policy.

4. Budget and Planning Committee

- a. We considered a resolution that was passed to us from Mary McAlpin to consider a minimum salary of \$18 per hour. We decided that we cannot consider this until we conduct our own living wage analysis this year, so we will return to consider it later. We then discussed a meeting that Phillip had with Chris Cimino in terms of our role in the BAM process. Our role is more to send the information out to faculty and offer feedback if we see issues; we will not be seeing the budget with a great amount of granularity. But we can focus on big changes to the budget that happen each year - this may be the best way to review the budget. We decided that we need to go through the process this year and that will help us better understand what to advocate for next year. We may adjust the meetings with Vice Chancellors based on this.

5. Diversity and Inclusion Committee (No Report)

6. Faculty Affairs Committee

A new (November 3, 2021) bylaws audit is now posted that reflects several updates: <http://senate.utk.edu/wp-content/uploads/sites/16/2021/11/11-3-2021-Bylaws-Audit.pdf>

Minutes from committee meetings this year are posted on the Faculty Senate website:

- [August 27, 2021 Minutes](#)
- [September 27, 2021 Minutes](#)
- [October 13, 2021 Minutes](#)
- [October 25, 2021 Minutes](#)

Below is a summary of some of our recent work:

A few items related to the handbook are being implemented by Administrative Action:

A clarification of retention reviews and APPRs following a tenure-clock suspension as a result of the new parental leave policy. 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.

Handbook Items Currently Under Preliminary Review Include:

Ombuds section (5.2) changes (approved by the committee on September 27 and sent to the Office of General Counsel). Diane Kelly 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, which has been sent to the OGC and the committee for review at our next meeting.

From the Equity and Fairness Report sent to the Provost has two recommendations that were discussed on October 25:

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 Kelly indicated that if any vote is taken, a faculty member has a right to see the results, so this proposal is effectively unworkable. She shared the experience of a faculty member from an under-represented group who found the negative votes early in their probationary period

discouraging rather than 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. This is currently being discussed for a future handbook revision.

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. 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. This is currently being discussed for a future handbook revision.

Discussion of a PPPR Report sent to the Provost which proposed APPR policy revisions as reflected in the two initiatives pasted below were also discussed on October 25:

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 (PPPR) post-tenure review. It is unclear how the UT Board of Trustees might regard the proposed concept of the EAPPR as acceptable to replace the current PPPR policy. It was proposed that the Office of the Provost and the Faculty Affairs Committee hold a forum open to both faculty and administrators to discuss these proposed initiatives.

Issues stemming from the case of Anming Hu Include:

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.

Additionally, the Office of General Counsel has implemented a Litigation Hold for members of our committee, which requires us to archive email communications and notes regarding our deliberations related to the Anming Hu case.

The committee will be meeting on November 22nd with an agenda that will include:

1. Continue to discuss revision of ETTR process.
2. Continue to discuss proposed changes to section 3.12 on termination of tenure.
3. Discuss the proposed policy on workplace bullying.
4. Discuss a proposal to implement more inclusive language for the handbook.
5. Discuss an HR Policy that has procedures to award emeritus status for former administrators.

Additional topics for next semester:

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.

7. Libraries and Information (No Report)
8. Non-Tenure Track Issues Committee
 - a. The NTTI Committee is reviewing specific items, clauses, passages, etc. in the Faculty Handbook (most of them addressed in the NTTF Task Force Recommendations of May 2021), including 4.1, 4.2, 4.3, 4.7, and 5.6. The committee is working with the Faculty Affairs Committee and the Office of the Provost to prepare the relevant parties and mechanisms that would consider and facilitate these revisions and adjustments to the handbook. Immediate attention is being paid to NTTF appointment letters, renewal/non-renewal procedures and policies, appointment types and lengths, appeals processes, and termination policies. We anticipate continued work on these for the coming weeks and interfacing with Faculty Affairs to get any adjustments into the agenda for consideration at Faculty Senate meetings in early 2022.

9. Teaching and Learning Council
 - a. This semester, the Teaching and Learning Council worked to draft a resolution about returning teaching modality decisions to departments and individual faculty members, which was approved by the Senate. The co-chairs have worked to open the nomination forms for the Chancellor's teaching and advising awards and they are preparing for a November meeting with the full committee to finalize rubrics and evaluation guidelines for reviewing nomination materials and eventual classroom observations.
10. Research Council (No report)
11. University Systems Committee (No Report)