

MINUTES

Faculty Affairs Committee

Monday January 31, 2022, 3:30-5:00pm

Members Present: Beauvais Lyons, Thomas Berg, George Dodds, Justin Jia, Judson Laughter, Mary McAlpin, and Kai Sun.

Members Absent: Cheryl Greenacre and Jessica Westerhold.

Guests: Diane Kelly, Vice Provost for Faculty Affairs, and Loretta Link, Faculty Senate Administrative Assistant

Approval of the Minutes: [November 22, 2021](#) (approved by consensus)

Report from Jessica Westerhold (NTTF Issues Liaison) Reporting by email, Jessica reported the committee has made progress on Faculty Handbook adjustments they would like to propose. It is their intention to continue this effort and work between our committees, and ultimately the Office of the Provost. They intend to make an organized, change-by-change document that we can share with the Faculty Affairs Committee for consideration and discussion.

Report from Beauvais Lyons

A [New Bylaws Audit](#) was posted on December 3. Beauvais is seeking input on “re-grading” the audit to address NTTF criteria and references to MFE. Beauvais asked Diane how best to communicate to deans and department heads. Diane said that some may be on task to draft and approve criteria for NTTF as well as removing references to the Manual of Faculty Evaluation. Beauvais proposed that he could draft a brief message for the Provost to send to the DDH List to encourage colleges and departments to keep in task and to communicate changes to the Faculty Affairs Committee to include in future iterations of the audit.

The Open Forum on Periodic Post-Tenure Performance Review will be held on February 9, 2022, 3:30 pm – 5:00 pm, Student Union Room 262A. Members of the committee are asked to attend, to take notes and participate when needed. [Here is the weblink](#). Beauvais encouraged members of the committee to attend to record concerns and ideas, as well as participate as needed.

The Office of General Counsel has recommended that all of the changes the Senate approved in Spring 2021 for reorganization and updates to the Other Policy Documents from section 1.1 and Appendices 1 that we approved in February 2021. Beauvais said that this seems reasonable, and he drafted a document for first reading at the February 7 meeting which was attached with the meeting agenda. There was discussion of the value of including information in 1.11 Other Useful University Policy Documents to indicated that important policy documents may be found outside of the faculty handbook on Faculty Central, on the Faculty Affairs Section of the Provost office website, as well as with UT System Policies.

Beauvais noted that the Ombuds section (5.2) of the UTK-UTIA Faculty Handbook reviewed previously will be presented for first reading on February 7, 2022.

Beauvais Lyons said that he has been working with Diane Kelly to create a document on [Pending Faculty Handbook Recommendations](#) which is kept up to date as more information becomes known.

At a time when the university of considering significant academic restructuring of the colleges, Beauvais expressed concern about the university’s ability to ensure alignment of bylaws with the handbook, as well as the role of the Office of General Counsel in working with campus administration and faculty leadership in implementing handbook revisions.

Report from Diane Kelly

Diane discussed several additional areas of future review including:

1. Section 1.4, 1.5 UTIA/UTK Administration. These do not reflect the current administrative arrangement. Provost Zomchick will discuss with Chancellor Plowman and VP/IP Martin and we will provide some updated text for Faculty Senate to consider.
2. Section 1.10 Faculty Role in Budget Making. This should be reviewed by Faculty Senate in the context of the new budget model. Any proposed changes should involve input from the faculty Senate Budget and Planning Committee.
3. Section 3.8.5.5 Coordination of EPPR and APPR. I’ve added a note there about providing more clarity to DHs about the first APPR following an improvement plan. It was suggested there might be a specialized form that stresses qualitative review in areas of teaching, research/scholarship/creative activity, and service for a couple years following an EPPR rather than the standard rating form used for APPR. Diane indicated that she would follow through on this.
4. Section 7.3 Compensated Outside Services. OID System policy and associated form are under revision and efforts are underway to better connect and align the OID form with the APPR.

Discussion of Pending Handbook Changes:

This portion of the meeting will use the January 27, 2022 draft of the [Pending Faculty Handbook Recommendations](#) chart as a guide in discussions with Vice-Provost Kelly. Below are some selected section of the document and areas of discussion.

1-12-2022	Stylistic and editorial revisions	In progress with the goal of having it ready for review by Faculty Affairs by January 2022.	This effort is endorsed by the Faculty Affairs Committee and has initial approval from the OGC.	The Office of the Provost has commissioned an extensive set of revisions to the handbook to reflect various stylistic changes that use more inclusive language, as well as to address some grammatical and other minor revisions.
<p>Discussion: A draft with comments from Justin Jia was shared with the committee. Diane thanks Justin and Tom Berg for their editorial suggestions. It was noted that in addition to revisions proposed in the current draft, there remain a number of editorial and formatting inconsistencies in the current draft. How UTSI is represented as a unique campus rather than a part of the Tickle College is a good example. Discussion focused on the value of having a single editor review the current draft and prepare a copy with a clear set of proposed changes (with striketroughs for deleted text and <u>underlines</u> for added text), and once compiled, could be reviewed by the OGC before approval Office of the Provost and the Faculty Senate. Loretta said her current obligations presented her form taking this on. The committee will follow up with the English Department to see if they had suggestions for a professional editor.</p>				
10-15-2021	Recommendations from the Task Force on Bullying to establish a workplace bullying	Workplace Bullying Task Force Activity Summary and Draft Policy_10-15-2021.pdf	Reviewed by Faculty Affairs (see 11-22-2021 minutes) and currently under review by OGC.	Faculty Affairs applauds this initiative, but has contacted the task force co-chairs Lisa Yamagata-Lynch and Mary Lucal with specific concerns regarding what counts as the “workplace” and who counts as an

	policy to be reflected in both the faculty handbook and HR policies.			"employee" as covered by this proposed policy.
Discussion: Beauvais said that he had emailed Mary Lucal and Lisa Yamagata-Lynch following our November meeting, but that he has not heard back on the issues we discussed related to what counts as the "workplace" and who counts as an "employee" in their proposed policy. He will follow-up with them again.				
10-25-2021	A clarification of retention reviews and APPRs following a tenure-clock suspension as a result of the new parental leave policy.	See Faculty Affairs September 27, 2021 Minutes	Currently 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.	This change is an effort to align the faculty handbook with our parental leave policy.
Discussion: Diane indicated that a version of the new policy is posted on the Provost's website to help guide faculty and administrators, but that it is not reflected in the current handbook. The committee agreed that efforts should be made to do so, and to ask for OGC review.				
11-22-2021	Revisions to section 3.12 regarding consultation with the Faculty Senate in cases of tenure termination. Changes to current policies are being considered as a result of the Anming Hu case.	FH Revisions to Termination of Tenured Faculty.pdf	Approved by Faculty Affairs on 11-22-2021 and sent to Lela Young with OGC for initial review. This proposed change has been discussed with the Provost and the Office of General Counsel, but a specific proposal is not yet in workflow. Seeking to present to the Faculty Senate Executive Council on January 24, 2022.	Proposed changes to (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."
Discussion: Diane indicated that she had asked Lela Young with the OGC for an update before our meeting, but had not gotten a reply yet.				
11-22-2021	A proposal developed by the Provost's Task Force on Equity and Fairness to consider changes to the retention review process for tenure-track faculty.	Report to Provost Equity and Fairness.pdf Faculty Affairs October 25 and November 22 minutes .	Based on discussions that the November meeting, an email was sent to Stephanie Bohon (Sociology) and Michael Higdon (Law), the co-chairs of the Equity and Fairness Task Force to propose specific handbook language for revising the retention process for tenure-track faculty members.	Based on discussions through November 2021 the committee made the following two suggestions for revision of the retention review process: <i>Retention votes (retain versus not retain) should not be conducted before the mid-cycle review, with an emphasis on qualitative assessment of the faculty member's progress to fulfilling the criteria for tenure and promotion. Votes would be conducted for all reviews from mid-cycle and subsequent reviews.</i> <i>Develop a rubric that can be used to supplement retention votes to provide specific input for faculty under review. "No" votes should be discarded if there is no clear explanation or use of the rubric.</i>

				There was general consensus in support of the first recommendation, but concern about the ability of a rubric to ensure the anonymity of no votes. While receptive to the value of providing tenure-track faculty with justifications for no votes, it was also recognized that anonymity can have value to ensuring an honest assessment without fear of retribution. There was also discussion of the process for non-renewal (3.11.4.4) when warranted.
--	--	--	--	--

Discussion: A document with emails between Beauvais Lyons and Stephanie Bohon were shared with the committee. Bohon and her task force advocated for conducting a faculty vote but only sharing it (like outside letters of review) on request. Mary McAlpin was concerned about how the official report to the faculty member would need to indicate that such a vote had been taken and that, should they wish to see they results, they could ask the Head for them. She said we don't want people finding out in year 3 that votes have been taken of which they were unaware, asserting the more transparency, the better. George Dodds asked how would a faculty member know they had the approval of the faculty if the faculty did not vote?

In response, Beauvais advocated for our previous recommendation involving no votes prior to the mid-cycle review with an emphasis on qualitative assessment of the faculty member's progress to fulfilling the criteria for tenure and promotion with the option of allowing a vote of the faculty for non-retention if warranted. No specific recommendation was finalized.

The most significant area of discussion was on the question of anonymity of voting. The Task Force on Equity and Fairness, while it considered the importance of anonymity in voting, is advocating that any no votes should require written justification. It is the committee's understanding that presently some academic units already follow such a policy. Mary McAlpin expressed concern that including this requirement undermined the secrecy of the ballot, as any written justification would disclose the author. At the November Faculty Affairs Committee meeting other option of developing a rubric could help to protect the anonymity of voting while providing the faculty member under review with specific feedback on strengths and weaknesses based on disciplinary criteria reflective in a department's bylaws might offer a solution. This concept was also endorsed by Stephanie Bohon in her November email.

Before the March 28 meeting the committee will seek to collect examples of retention review processes at other universities.

5. Future Meetings

- Wednesday February 9, 3:30-5:00pm (PPPR Forum, Student Union)
- Monday March 28, 3:30-5:00pm
- Monday April 11, 3:30-5:00pm

6. Adjournment at 5:07pm