

Faculty Senate Meeting
MINUTES
October 22, 2012

Absent: Itamar Arel, Joe Bailey, Patricia Carter, Feng Chen, Chris Cimino, Michael Clark, Paul Crilly, Ruth Darling, Lt. Brian Delamater, Seddik Djouadi, Hillary Fouts, Todd Freeberg*, Alberto Garcia, Scott Gilpatric, Matthew Gray, Martin Griffin, John Haas, Tom Handler, Federico Harte, Tricia Hepner, Noriko Horiguchi, Baoshan Huang, Becky Jacobs, Mike Jones, Ron Kalafsky, Ramki Kalyanaraman, Kurt Lamour, Gichingiri Ndigirigi, Stephanie Noble, Tulio Prado, Nathan Preuss, Jennifer Richards, W. Tim Rogers, Juergen Schumacher, Fernando Schwartz, Curtis Stewart, Adam Taylor, Matthew Theriot, Ahmad Vakili, Christian Vossler, Mark Windham, Kenton Yeager

Alternates*: Matthew Cooper for Todd Freeberg

S. Thomas called the meeting to order at 3:30 p.m.

ANNOUNCEMENTS AND REPORTS

Establishment of a Quorum (S. Thomas)

S. Thomas noted the presence of a quorum.

President's Report (S. Thomas)

After noting that a written report had been posted on the Senate's website, S. Thomas made these additional comments:

- All caucuses now have chairs. Since these chairs and the Faculty Senate President-Elect constitute the Committee on Nominations and Appointments, the work of that committee will begin soon.
- The next Mic/Nite program is Wednesday, October 24, 2012, at the Relix Variety Theater.
- The University of Tennessee Faculty Council (UTFC) met on Wednesday, October 17, 2012. Much of that meeting was devoted to the recently revised employee code of conduct. This topic will be addressed later during this meeting.

Chancellor's Report (J. Cheek)

- Very pleased to welcome to the campus Taylor Eighmy, our new Vice Chancellor for Research and Engagement, who comes to us with a vast amount of experience and will be filling a very important role.
- Daniel Simberloff, the Nancy Gore Hunger Professor of Environmental Studies in Ecology and Evolutionary Biology, is one of 84 new members elected to the National Academy of Sciences and has won the 2012 Ramon Margalef Award for Ecology.
- Supreme Court Justice Elena Kagan visited the campus last week.
- Being able to host the "Today Show" was a great opportunity to showcase the campus and the community.
- In light of recent events, the Pi Kappa Alpha house has been closed and a task force on Greek Life has been formed. It must be made clear that fraternities should represent the university in a positive light, as most do.
- Feedback from faculty, staff and students is needed by the search committee for the Vice Chancellor for Diversity position.
- Acknowledged frustrations expressed following the letter presented to the Senate last month. That letter, concerning the resolution supporting partner benefits, was not intended to be dismissive. Chancellors Cheek and Arrington have been working and are continuing to work

with Faculty Senate leadership and many other constituencies on this issue. Another letter will be presented to the Senate (hopefully within the next few weeks) to provide a better explanation of the position.

Provost's Report (S. Martin)

- Please attend the Mic/Nite; it has been quite a valuable event for sharing research.
- A review of the Tennessee Teaching and Learning Center is underway. We should be receiving a report from consultants shortly.
- Last year, after the Board of Trustees approved the rank of "senior lecturer," we held the first round of promotions to this rank using draft procedures. At this month's Executive Council meeting, John Zomchick presented a proposal for revising this promotion process based on the results seen during that first round. The intention is for this process to be reviewed by the Faculty Affairs Committee and recommended for inclusion in the *Manual for Faculty Evaluation*. In order to not lose the momentum gained last year, this second draft will be used for the current year's promotion cycle for lecturers.
- Currently putting together faculty committees and administration for SACS accreditation. A new quality enhancement plan will be proposed. Please serve if asked to support this activity.

APPROVAL OF MINUTES

Faculty Senate Minutes

S. Thomas asked if there were any corrections or additions needed to the minutes of the Faculty Senate meeting on September 24, 2012. When no revisions were offered, J. Hall moved to approve the minutes as presented. S. Zhang provided a second to the motion. The motion passed by voice vote.

Faculty Senate Executive Council Minutes

S. Thomas noted that the minutes of the Executive Council meeting on October 10, 2012, were available on the Senate's website for review.

MINUTES POSTED ELECTRONICALLY

Graduate Council Minutes (R. Brockett)

S. Thomas called upon R. Brockett to present the minutes from the Graduate Council meeting on September 6, 2012.

- Academic Policy Council met, but had no recommendations at that time.
- Appeals Committee met and considered two cases.
- Recommendations were made regarding 12 doctoral status appointments.

A motion was made by A. Sachs to approve the minutes as presented. A second to the motion was provided by J. Hall. The motion passed by voice vote.

PREVIOUS BUSINESS

Faculty Affairs Committee (P. Daves)

P. Daves reviewed the proposed revision to the Faculty Senate's *Bylaws*, presented during the meeting on September 24, 2012, to extend to lecturers and clinical instructors the rights (1) to vote for representation in the Senate and (2) to serve in the Senate. The proposal would also allow a special election for ten lecturers or clinical instructors to serve the remainder of the current year. This election would be conducted by the Non-Tenure Track Faculty Advisory Committee and the Senate's President-Elect.

In response to a question raised during the previous meeting, Daves stated that a comparison with last year's faculty census figures suggests that adding the FTE counts for lecturers and clinical instructors would increase the Senate by 17 seats. This increase would be divided among nine caucuses. The largest increase (five seats) would go to the Arts and Sciences, Humanities caucus. Four caucuses would each gain two seats and four would each gain one seat.

In future elections, no seats would be allotted for lecturers or clinical instructors. Each caucus will be free to decide how many such faculty members (if any) to nominate. A few restrictions will be placed on their service, such as (for example) not being eligible to serve as President or as members of the Appeals Committee.

Coming as a recommendation from the Executive Council, the motion did not require a second. The motion passed, with two votes in opposition noted.

NEW BUSINESS

2013-2014 Faculty Senate Meeting Schedule (D. Golden)

D. Golden, in his role as President-Elect, reported on the schedule of Senate meetings for the next academic year. The Senate's *Bylaws* specify the normal meeting dates to be the third Monday in September, October, and November and the first Monday in February, March, April, and May, unless adjustments are needed to avoid (for example) religious holidays. No such adjustments are required for the next academic year. Although not specified within the *Bylaws*, the Executive Council traditionally meets on the Monday afternoon, two weeks prior to each Senate meeting. Three exceptions to this general practice were noted for the next academic year.

- Tuesday, September 3, 2013 (prior to the September Senate meeting)
- Tuesday, January 21, 2014 (prior to February Senate meeting)
- Wednesday, April 23, 2014 (prior to the May Senate meeting)

This schedule was accepted by common consent.

Code of Conduct (S. Thomas)

S. Thomas reported that, on October 2, 2012, he received notification via email of the revision of the University's employee code of conduct (HR policy 0580), effective July 1, 2012. [See attachment 4 to the agenda for this meeting.] When he shared this notification with the Executive Council on October 10th, several concerns had been expressed. As a UTFC meeting was already scheduled for October 17th, the Executive Council requested that this matter be considered at that meeting.

Bill Moles, of the Office of Institutional Compliance, was invited to this meeting to provide background information about the revision process and to outline changes from the previous version of the policy (that had been in effect since October 1, 2006). The major impetus for these changes was a recent revision of the Federal Sentencing Guideline requiring organizations (such as the University) to facilitate a culture that promotes responsible and ethical behavior.

Our UTFC representative, D. Patterson, shared the concerns raised at the Executive Council meeting and cited the relevant passage of the UTK *Faculty Handbook* (1.5 Shared Governance) in support of our expectation that the faculty would be consulted prior to the establishment such policies. That the faculty had such expectations was apparently a surprise to the representatives from Human Resources, the Office of General Counsel, and the Office of Institutional Compliance that had worked together on this revision.

Patterson stressed (1) the lack of faculty input into the revision process and (2) the expectation that faculty would formally indicate acceptance of the code. Sadly, the Office of Institutional Compliance had failed to comply with the provision of our *Faculty Handbook* concerning prior involvement of the faculty. Also, the statement that all new faculty would be introduced to the code (and expected to read and sign it) as part of the orientation process is a concern. When, precisely, would faculty members be informed of this code of conduct? When would they have to sign? The Senate should review the language and procedures and show due diligence in this matter.

During general discussion, some other questions were raised.

- Should the Faculty Affairs Committee be tasked with reviewing and responding to the code?
- What precipitated the change? Why the short 12-day promotion window?
- If the code was effective in July, why were we notified in October?
- What standards are being used? (Some statements seem ambiguous or may be culturally depended.)
- "Even the appearance of misconduct" could damage the public trust. How are appearances to be judged?

S. Thomas reported that Katherine High, of the Office of Academic Affairs and Student Success, is planning another meeting with the presidents of the various faculty senates to discuss next steps. In the meanwhile, he advised that each senator read the code (available directly from the System Human Resources website) for himself/herself. Personally, he believed that as a whole the policy was not a bad thing, but the process in this case was flawed.

Special Topic of Discussion (S. Thomas)

S. Thomas reported that, during breaks in the Senate Retreat, he had been approached by two senators with similar suggestions, namely that time should be allotted at Senate meetings for general discussion of major issues facing the campus community. With the support of the Executive Council, the first such discussion will be held at the end of the November meeting. The topic will be **online education / distant learning – new approaches, problems, opportunities and barriers**. If this experience is successful, a similar session will be considered during the spring term. It was also mentioned that the Senate's listserv is a medium that could be used for an ongoing discussion of such topics.

ADJOURNMENT

Adjournment was moved and seconded. The meeting adjourned at 4:45 p.m.

Respectfully submitted,

Fritz Polite, Secretary