

Faculty Senate Executive Council  
MINUTES  
September 8, 2015

Present: Ernest Bernard, Stephen Blackwell, Chris Cimino, Mark Collins, Patricia Freeland, Jennifer Fowler, Joanne Hall, Ramki Kalyanaraman, Stephen Kania, Dean Kopsell, Bruce MacLennan, Bonnie Ownley, Rebecca Prosser, Jennifer Richards, Robert Spirko, Candace White, and Kathi Wong

Guests: Jimmy Cheek, Robert Nobles

## **I. CALL TO ORDER**

B. MacLennan called the meeting to order at 3:33 p.m. E. Bernard established that a quorum was present.

## **II. ANNOUNCEMENTS AND REPORTS**

### President's Report (B. MacLennan)

- B. MacLennan has been working with others on a project to review and revise the ranking rubrics for annual faculty evaluation. This culminated in the revision that is in the current *Faculty Handbook*. The next step will be to hold workshops for department heads about how to use the new rubrics.
- Phyllis Thompson has indicated that she is willing to fill the position of Faculty Senate Secretary, which was vacated when B. Ownley became President-Elect.
- UTK will be hosting the Tennessee University Faculty Senates (TUFS) meeting in spring 2016.
- There are two at-large positions on Executive Council that need to be filled. Mary McAlpin and Steven Waller were suggested, with Debora Baldwin as a third possibility.

### Chancellor's Report (J. Cheek)

- On the Diversity and Inclusion website, an op-ed article was posted on gender pronouns. The article was written as a suggestion to be more inclusive, and was meant to be educational, not university policy. A cable news channel found the article and suggested that it was university policy. The gender pronouns article had been posted on an administrative website. The intent of the article was misinterpreted; it was not meant to be policy. There was concern that we were not getting the message out that the article was not university policy, subsequently the decision was made to remove the piece from the university website.
- C. Cimino answered questions on outsourcing of services. He indicated that this began in December 2014 when Governor Haslam started the efficiency in real estate management initiative. More recently D. Irvin and C. Cimino were added to the governor's team to participate in discussions. C. Cimino provided data from UTK on our costs compared to theirs (State's), which indicated that total outsourcing would not benefit UTK. Strategic outsourcing at UTK has been ongoing, where it is beneficial, such as abatement, dining, and the bus system. C. Cimino explained the difference between outsourcing and consulting; outsourcing has a much larger scope where management and control are given to another entity. The State is considering outsourcing because they think it will save money due to economy of scale. All of the real estate under discussion adds up to 90 million sq. ft., and two-thirds of that is for higher education; however, the governor has

stated that any savings from outsourcing will stay with higher education. The State wants to have one contract, and have management of the services at the State level. Texas A&M has a similar model for comparison. There are a few State buildings that have been under this type of contract for the past three years and the State is using cost data from these buildings in their model to support their proposal to outsource services. C. Cimino said that President DiPietro has been told that UT will be able to opt out of outsourcing.

Provost Report (S. Martin)

- Provost Martin was unable to attend.

**III. CONSENT AGENDA ITEMS**

- a. Minutes of the Executive Council Meeting of April 27, 2015 (<http://cdn-senate.utk.edu/files/2014/08/Exec.-Minutes-April-2015.pdf>)
- b. Recommendations of Phyllis Thompson for Office of Secretary
- c. Hosting the TUFS Spring 2016 Meeting
- d. Proposed at-large Executive Council members: Mary McAlpin, Steven Waller, and Debora Baldwin. B. MacLennan will follow-up with them to decide upon two.

C. White moved to approve the four items on the consent agenda and R. Prosser seconded the motion. The motion passed and the consent agenda was approved.

**IV. REPORTS OF STANDING COMMITTEES**

- a. Appeals Committee (R. Prosser)  
No report
- b. Athletics Committee (D. Kopsell)  
Potential committee members from SGA have been contacted.
- c. Benefits and Professional Development Committee (M. Beck)  
No report
- d. Budget and Planning Committee (Lou Gross)  
L. Gross was unable to attend, but provided a written report. The committee has five objectives this year: 1) work with Chancellor Cheek and Vice Chancellor Cimino to ensure that the committee is meeting its responsibilities to provide input on campus budgeting and planning as specified in the *Faculty Handbook*; 2) continue efforts to provide analysis of faculty salary data and appropriate comparisons to relevant groupings of other institutions; 3) continue efforts to obtain from the Provost the data needed to analyze any potential gender inequities in faculty salaries occurring campus-wide and carry out analysis of these data as was done in the past; 4) work with Vice Chancellor Cimino to ensure mechanisms are in place for faculty input to both System and campus policy development and review; and 5) continue to analyze campus and System budget information, including that from Athletics, and monitor these for situations in which faculty input is appropriate.
- e. Nominations and Appointments Committee (B. Ownley)  
Caucus chairs will be contacted early in an effort to make sure that the election process for senators follows Faculty Senate (FS) bylaws. Last year the College of Arts and Sciences

changed their timetable, which differed from FS bylaws. This caused their elections and reporting of results to be late. The UT Space Institute has revised the bylaws for their Faculty Assembly; however, their bylaws were not in accordance with FS bylaws and it caused confusion with their total number of senators. B. Ownley aims to work with these groups so that elections run more smoothly.

- f. Faculty Affairs Committee (J. Fowler)  
B. Ownley will be added as a member of this committee. Questions about ORNL Joint Faculty appointments that have been raised. For example, there are faculty who have a 0% appointment, and it was thought that this was not supposed to be possible. R. Kalyanaraman suggested that the committee contact W. Davis (Dean of Engineering), who will have more information on these types of appointments.
- g. Graduate Council (S. Kania)  
S. Kania indicated that Graduate Council will be revisiting the idea of matching the undergraduate and graduate grading systems; the graduate system does not have minus grades as an option. C. White raised questions about Graduate Council bylaws, which are not congruent with FS bylaws; e.g., the Graduate Council is described as a "standing committee" in one document and as a "special committee" in the other document. B. MacLennan asked whether there was a process in place to review the bylaws of the Graduate Council and S. Kania indicated there was not.
- h. Library & Information Technology Committee (K. Wong)  
The contract with Blackboard will be up for renewal in spring 2016. Faculty will receive a survey about whether the contract should be continued. The committee has had more discussions about Elements. The Library is concerned that they cannot provide the level of assistance requested by faculty to complete this form.
- i. Non-Tenure Track (NTT) Faculty Committee (M. Collins)  
Members are engaged and represent a larger number of different types of NTT positions. They are looking at university policies that were developed to address these positions.
- j. Research Council (R. Kalyanaraman)  
Research Council will be meeting tomorrow (September 9). In August, R. Kalyanaraman solicited feedback on the revised Research Misconduct Policy. The results are presented under New Business.
- k. Teaching and Learning Council (J. Richards)  
No report
- l. Undergraduate Council (R. Bennett)  
No report
- m. University Systems Relations Committee (S. Blackwell)  
No report

## **V. UNFINISHED BUSINESS**

There was no unfinished business.

## **VI. NEW BUSINESS**

### Proposed Research Misconduct Policy (R. Nobles)

Research misconduct has increased everywhere, and involves plagiarism, fabrication of data, etc. There are 6–8 cases per year at UTK. Allegations about misconduct are reported from various sources, including anonymous individuals, journals, collaborators, sponsors, students, and other lab personnel. When R. Nobles receives an inquiry, he notifies the appropriate administrators up and down the line.

Changes in the revised Research Misconduct Policy include the following:

- 1) The level of responsibility will now be with the chief research officer.
- 2) The revised policy provides a framework for investigating these cases and the procedure follows federal guidelines.
- 3) The level of detail has been increased to provide clarity.
- 4) Administrative actions and disciplinary actions are described.

R. Nobles will be seeking input from faculty on Appendix B: Expectations of the Principal Investigator, in the revised policy.

### Review of Proposed Research Misconduct Policy (R. Kalyanaraman)

R. Kalyanaraman provided a report on the feedback he received from a small group of faculty. In general, the revised policy was viewed as needed and positive. One criticism was that they felt that the person accused of misconduct would be treated as guilty, rather than innocent. R. Kalyanaraman wants more faculty to look at this document.

R. Nobles agreed that we need to preserve the concept of presumption of innocence, otherwise the process is flawed. R. Nobles stated that the accused will not have a change of appointment unless proven guilty. The accused is informed immediately if R. Nobles thinks that they have information with a bearing on the accusation. If it moves from assessment to inquiry, complainant and respondent are both notified. The process is the same regardless of the position or rank of the respondent. R. Nobles stated that misallocation of funding is not included in this policy. He was asked how plagiarism is handled if there are multiple authors on a paper. He responded that all universities are notified and have to do an investigation.

### Commemoration of Steve Thomas (B. MacLennan)

B. MacLennan announced that there will be a commemoration of Steve Thomas in the upcoming Faculty Senate meeting. Please contact him if you would like to contribute.

### Gender-neutral pronouns (J. Hall)

J. Hall stated that gender-neutral pronouns acknowledge genders outside of a binary system, and that trans-genders are an at-risk group for discrimination. There should be room for freedom of discussion of a range of ideas at a university. Concern was expressed about the reactive nature of responses to controversial topics. It was suggested that we try to establish better communication with legislators.

### Invitation from Foundation for Individual Rights Education (B. MacLennan)

This item will be turned over to the Faculty Affairs Committee.

Additional Question for R. Nobles about IRB

A question was raised about whether IRB problems have been resolved. R. Nobles said that they have hired new personnel. They now have four full-time and two half-time employees. New members have also been added to the IRB. These changes were made to spread the workload and decrease the review time needed for applications. A full review now takes 20 days while a reduced review takes only 7 days. Members familiar with the process agreed that it had been improved significantly.

**VII. ADJOURNMENT**

The meeting was adjourned at 5:09 pm.