

The University of Tennessee Faculty Senate  
MINUTES  
January 9, 2004

Those absent were: Kendra Albright, Misty Anderson\*, David Barnaby, Micah Beck, Dave Bemis, Ernest Brewer, F. Michael Combs, Chris Cox, Loren Crabtree, Joan Creasia, Marianne Custer, Sylvia Davis, Barabra Dewey, George Dodds, Tom Doherty, Rajan Ganguly, Glenn Graber, William Hamel, Susan Hamilton, Marion Hansen, Ralph Harvey, Mark Hedrick, Heather Hirschfeld, Don Hodges, Nancy Howell, Joe Iannelli, Ed Jepson, G. Samuel Jordan, Barbara Kaye\*, Dennie Kelley, Majid Keyhani, Dukwon Kim, John Koontz, Vena Long, William Lyons, Maribeth Manoff, Jan Musfeldt, Bill Nugent, Peggy Pierce, John Preston, W. Tim Rogers, Mary Rogge, Neal Schrick, Pamela Small, George Smith, Mandyam Srinivasan\*, Marlys Staudt, Barbara Thayer-Bacon, Deborah Thomas, LTC Robert Walsh, Dan Ward, Jinx Watson, John Wilkerson\*, Jan William, Rick Williams

\*Alternate Senators: Margaret Morrison for Barbara Kaye; D. Raj Raman for John Wilkerson; Charles Maland for Misty Anderson, Virginia Kupritz for Mandyam Srinivasan

B. Lyons called the meeting to order at 2:00 p.m.

## ANNOUNCEMENTS

Establishment of Quorum (C. White for S. Jordan)  
White confirmed that it appeared a quorum was present.

President's Report (B. Lyons)  
Lyons reported that since this was a specially called meeting, and to devote maximum time to the agenda, there would not be a President's report or a Chancellor's report.

## MINUTES

Minutes of the Faculty Senate meeting of November 17, 2003, were approved without change.

## REPORTS OF SPECIAL COMMITTEE

Faculty Handbook Task Force (M. Moffett)  
Moffett called attention to the handout that noted the key changes to Chapter 3 since the first reading of that chapter at the November 17 meeting, which reads:

### ***FOR ACTION***

#### ***Chapter 3: Appointment, Evaluation, Promotion, & Tenure for Tenure Track Faculty***

*This chapter applies specifically to faculty holding tenure-track appointments and concerns policies related to appointment, evaluation, tenure, and promotion. Key changes since the first reading on November 17<sup>th</sup> are:*

- a) *tenure track faculty who have family care giving responsibilities may apply to extend the tenure clock (added to page 1, line 12)*
- b) *the process by which new faculty search committees are formed requires the Department Head to form the committee in consultation with the faculty at a meeting of the faculty (insert A, page 1, line 32),*

*As stated in the current handbook and consistent with board policy, this chapter locates tenure in an academic program (3.11.1) and not the university at large.*

### **FIRST READING**

#### **Chapter 4: Appointment, Evaluation, & Review for Non-Tenure Track Faculty**

*This new chapter concerns the appointment, promotion and review of all non-tenure-track faculty. It incorporates uniform titles for various appointments approved by the Faculty Senate two years ago. This chapter states that non-tenure-track faculty have academic freedom and the same rights of appeal for tenure stream faculty outlined in Chapter 5. For the past few decades most universities have increasingly relied on non-tenure-track faculty as state support for higher education has diminished. While this chapter will not change this trend, it does affirm a basic set of rights for these faculty members.*

### **FIRST READING**

#### **Chapter 5: Faculty Rights of Appeal**

*This Chapter has evolved since the Faculty Senate Retreat and input on the Blackboard site. Instead of proposing a single Ombudsperson, we are now proposing three Ombudspersons on three-year staggered terms (5.2). This will serve to distinguish the dual roles of the office; (1) as a consultant and (2) a mediator when necessary. This chapter also proposes establishment of a Faculty Senate Appeals Committee that will take over part of the responsibility now held by the Faculty Senate Faculty Affairs Committee (5.4). The Appeals Committee would have the authority to bring systemic violations of the handbook to the Faculty Senate (page 4, lines 5-15). In comparison with the current handbook, this chapter makes significant changes to the special appeals section that we feel greatly clarify this section of the appeals process (5.5). It also includes keeps the current policy on Appeals of Termination of Tenured faculty for Adequate Cause (5.6).*

### **FIRST READING**

#### **Chapter 6: Benefits and Leaves of Absence**

*This chapter is pulled from Section 3 of the current UTK Faculty Handbook and Chapter 7 from the UTIA handbook. This chapter will have numerous links to Human Resources documents. Through input from the Blackboard site, as well as others the chapter has been revised to:*

- a) describe the Family Care Policy as it applies to faculty on academic year appointments who take a leave without pay to care for a family member (6.41)*
- b) affirm the semester banking system (6.44)*
- c) integrate the new professional leave policy into the handbook (6.45)*
- d) describe fringe benefits for faculty on leave (6.47)*
- e) clarify the policy for outside compensation for faculty on leave (6.48).*

*Chapter 7 on Outside Consultation still needs more work, and will come to us for a first reading on February 2<sup>nd</sup>.*

In discussing Chapter 3, Moffett noted that the current handbook and board policy locates tenure in the departments rather than in the university. S. Kurth noted that use of the term "emeritus" in the handbook is masculine and requested that it be changed to be inclusive. Moffett accepted the suggestion.

Alternate Senator Charles Maland noted that in a large department it would be difficult to call a faculty meeting to form a search committee. Papke made a motion to remove "at a meeting" from the wording. Burman seconded it. Schroedl and Coddington spoke against the motion stating that too much email in lieu of meetings was not good. By a voice vote the motion was not approved.

Hughes moved to change location of tenure from the department to the university, particularly since this is an issue with program review and redirection. J. Malia seconded it. Moffett noted that tenure protects academic freedom rather than job security and noted that the handbook provides other protections when programs are eliminated. B. Antar spoke in favor of the motion stating that this is a serious and practical problem for faculty at UTSI. Sachan asked if we are hired by the university, why aren't we tenured by the university? Albrecht replied that the offer letter comes from the department and that tenure is determined primarily by colleagues at the department level. Hughes argued that final tenure is granted at the university level. C. Craig asked why tenure was changed in 1978 from being located in the university to the department. No one knew the answer. Lyons reminded the Senate that while we have unprecedented input into the handbook, ultimately the decision would be made by the General Counsel's office and the Trustees. The question was called and the amendment to change the location of tenure from the department to the university was carried.

Burman asked that the wording on p. 7, lines 16 and 17 be changed from "a fair and honest assessment of the performance of the faculty member by appropriate colleagues and the department head" to "...by the department head and where appropriate, by colleagues." Moffett accepted the change. Lyons called for the approval of the amended Chapter 3. The chapter was approved by the Senate.

Moffett continued with the first reading of Chapter 4 and called attention to the handout that noted the key issues. A. Chesney told the Senate that the Task Force on Non-Tenured Faculty is still active and is looking at a Delaware study and UT's ratio of non-tenure to tenured faculty. Schroedl asked for clarification of and consistent use of titles in the chapter.

Moffett continued with the first reading of Chapter 5 and called attention to the handout that noted the key issues, noting this chapter has substantive changes to the current handbook. It was noted that some parts of this chapter are state law and cannot be amended. Morgan asked what level of confidentiality there would be in the appeals processes, and Harmon noted that anything in "fixed form" would be subject to open records laws. It was suggested that mediation should be mandatory, but Kurth argued that you couldn't mandate mediation. Glenn asked why an Ombudsperson is needed since we already have a Faculty Affairs committee. Alternate Senator D. Raj Raman spoke in favor of the existence of an Ombudsperson, asserting that she/he would have a higher public profile. D. Bassett expressed concern about the four channels of appeal and asked which would have the greatest authority. Moffett said they all ultimately end up the same place, which is to go through administrative channels. D. Kennedy noted that not all problems would go all the way through the channels.

Chapter 6 was presented for a first reading. There were some very small edits for the sake of clarification, but no major concerns.

## **NEW BUSINESS**

Lyons presented the Review and Redirection Criteria for approval. He noted one change made at the Executive Committee meeting on December 15<sup>th</sup>. The document was approved unanimously.

The meeting adjourned at 3:40 p.m.

Respectfully submitted by  
Candace White for Sam Jordan, Secretary