

## MINUTES

Faculty Senate Executive Committee

November 5, 2007

Present: Denise Barlow, Stephen Blackwell, Marianne Breinig, Toby Boulet, Ruth Darling, Rod Ellis, Louis Gross, Joanne Hall, Joan Heminway, Robert Holub, Suzanne Kurth, India Lane, Beauvais Lyons, Kula Misra, Matt Murray, John Nolt, David Patterson, Owen Ragland, John Romeiser

Guest: Todd Diacon

### **I. CALL TO ORDER**

D. Patterson called the meeting to order at 3:35 p.m.

### **II. APPROVAL OF MINUTES**

Minutes of the Executive Committee meeting of October 8, 2007, were approved with the change under the University Faculty Council section of "send" to "*e-mail*" requested by B. Lyons.

### **III. REPORTS**

#### President's Report (D. Patterson)

A joint e-mail from the President and the Chancellor concerning the status of system/campus negotiations appeared shortly after 3 p.m. today. Patterson reported on what he could discern from it in the short time available. IT remains unresolved from the Chancellor's perspective. The report "IT at UT" still has not been released. The system would retain control of construction management. The President's position continues to be that Agriculture, Athletics, and Oak Ridge are not negotiable. The e-mail mentioned the formation of multiple task forces.

Patterson sent the letter about the President's handling of IT activities to the Board of Trustees. He circulated in advance the e-mail letter he sent to President Petersen about IT and the Cherokee Farm. He had received no response. Patterson will speak to the Board of Trustees for about 5 minutes on Friday. He will distribute remarks for comments before then.

Patterson received notice from Andrea Loughry about Deseriee Kennedy's resignation from the Board of Trustees. The nomination of Lou Gross to replace her in that position was made and seconded. Patterson heard from Kathy Greenberg that the Governor's office had contacted her about appointment to the Board. The explanation for her appointment rather than Gross' was that there was concern about diversity. Greenberg declined the appointment. Patterson understands that Candace White was the next choice. While White is in accord that Gross is the right person for the position, she will accept it. The question before the body was whether it would be a good idea to pass a resolution indicating that White would be speaking for the faculty, not just expressing her views. Gross noted that White has not been actively engaged in issues of campus governance the past two years. Patterson stated that the Executive Committee could outline current concerns for her. The Executive Committee considered five points with a view to providing a clear message from the Executive Committee. Those five points were: 1) expressing lack of confidence in the President's handling of IT; 2) requesting that the Cherokee Farm Committee be dissolved and a new one be created; 3) pointing out the ongoing system-wide failure to communicate with and respond to faculty on various campuses;

4) inquiring about whether the rationale for the increase in executive salaries (peer comparisons) should be applied system-wide; and 5) noting the failure to consult with faculty members about the for profit use of the stadium.

With reference to the Cherokee Farm (point two), B. Lyons asked whether the Board of Trustees would need to reconsider their previous action, that is, amend or update the Master Plan. With reference to the fourth point, Gross explained that he had questioned A. Chesney about whether the salary increases made on the basis of peer comparisons should have been limited to the staff that reports to the President or should be made system-wide. He said it was not system-wide and it was not policy. I. Lane asked at what levels were these raises made. She was not interested in levels within UT, but percentage of peers' salaries. Gross said the issue is having different systems for allocating raises could lead to class action lawsuits. Lane said she did not think the argument would win because it did not include reference to athletics. With reference to the fifth point (use of stadium), the argument for including it as an issue was that the need for faculty involvement is laid out in the Faculty Handbook. D. Barlow said Jeff Maples was involved in the process and in his view there was no problem. Gross asked whether security procedures did not apply. Barlow said they would not because of the small crowds anticipated. Only large events like football games trigger the security procedures. Patterson inquired about the \$3 million. Gross said the newspaper reported that. Based on the discussion, the fourth point (salary increases) was dropped. The other four points were agreed to by unanimous consent.

#### Provost's Report (R. Holub)

Provost Holub reported that four additional workshops are planned for department heads. Workshops have/will focus on: promotion and tenure, budget preparation, retention, managing an academic department, and diversity. Patterson expressed appreciation of the training. Lyons asked if the manual recently developed for department heads was being used. Holub replied that it was, but some parts are outdated. Lyons asked if there had been a high level of participation. Holub said there had been. Gross said we now have a Vice President for Research and it is unclear how that position relates to that of the Vice Chancellor for Research. Holub understands focus and confusion over the exact title for the position. (Lyons looked up the title and reported it was "Science and Technology.") Gross asked whether the new policies supporting opportunity and spousal hires had resulted in any action. Holub indicated that it was too early this year and last year in the two cases he knew about the people got positions elsewhere. With reference to the Vice President position, Patterson wondered how someone who lacked academic experience could meet the full professor requirement of excellence in teaching. Lane asked about the proposed Teaching and Learning Center. The Provost deferred to T. Diacon, who indicated that there will be a full-time staff person and a full professor who devotes 50% time to the Center. Patterson noted ITC would be moving to the Metron Building. He wondered about the interface of the Teaching and Learning Center with ITC and potential space issues. Diacon indicated that they had not gotten to the space issue yet.

#### **IV. OLD BUSINESS**

##### Interim Ombudsperson Search (D. Patterson)

Gross thought it was great that there were two volunteers and suggested both names should be sent to the Provost. The two candidates were discussed. It was agreed that both names should be forwarded to the Provost.

### Athletics Committee (K. Misra)

K. Misra thanked Patterson for supporting his attendance at the Knight Commission meeting in Washington, D.C. The meeting focused on faculty involvement in athletics. Misra perceives that the Athletics Board is conceptualized as a "listening" body, rather than a planning body. He would welcome ideas on increasing faculty involvement. A national survey showed that athletics does not rank high as a faculty concern. Patterson said the low ranking might be due to the perception that nothing will happen. Patterson brought up having representatives from UT Athletics speak to the Senate. Misra said Diacon had agreed to come to a Senate meeting and President Petersen is willing to meet with the Athletics Board. Misra talked to M. Hamilton and J. Cronan about coming. They are ready to talk about budgets, construction costs, etc. The self-supporting claim was brought up. Gross pointed out that Thompson Boling Arena was all paid for by private donations. Gross noted that the Knight Commission keeps bringing up the nation-wide expansion of athletics budgets relative to academic budgets. He asked if facilities money might be a problem again, as it was a few years ago. Misra indicated that that money had been paid back and that neither University nor tax payer dollars are at issue. The Knight Commission did not address facilities. We rank 7<sup>th</sup> in expenditures on facilities. Fundraising campaigns for athletics and academics work hand in hand. Barlow echoed that the two are very cooperative. M. Murray stated that the Athletic Department has developed a reserve fund of approximately \$6 million. Gross said he did an analysis before and estimated the probability a problem would occur. G. Reed said there is an acknowledged risk because of the dependency on football. Patterson asked whether Hamilton and Cronan should be invited to speak to the Senate next semester. Lyons suggested it would be better to have Diacon speak. Misra disagreed arguing that the Athletics Directors have information people are interested in hearing and they would not speak about their teams' performances. Patterson asked whether we could ask about the process involved in locating facilities on our campus. J. Heminway said they answer different questions. We need to have better structure for issues. R. Ellis suggested that the Senate needs to start with more information, i.e., read materials. Lyons proposed that the Athletics Committee and the Senate could host a faculty forum to answer questions rather than trying to squeeze the discussion into a regular Senate meeting. Misra said people often do not read materials so the same questions get asked. Patterson asked in what venue the conversation should occur. Gross noted several white papers encourage campus ADs to make annual reports to their faculties about budgets, etc. He agreed with Misra about having a formal meeting with questions. Lane said ADs are used to giving information. Patterson deferred to Misra to contact ADs and Diacon about a meeting date.

### Faculty Affairs Committee (J. Heminway)

Two possible changes to the Faculty Handbook are being considered. One change would involve adding sexual preference. The Committee thinks we should try to get it added as a protected category. Committee members have engaged in discussion of this with the Provost as their first approach. A second approach would focus on different benefits. And, a third approach would involve adding it to employment following the recent model of adding sexual orientation to the hiring statement. The other change is a result of a constituent request concerning how to handle the situation of units without bylaws. The committee is addressing how bylaws are initially adopted and what can be covered in revisions.

The Committee will be taking up the Ombuds Report at its next meeting. And, it will be addressing Deans and their reviews.

Lyons asked if there had been discussion of the Manual for Faculty Evaluation, specifically whether Heminway was aware that there are suggestions in writing. S. Blackwell asked if the issue was partner benefits. Heminway said benefits involve the state, as the state provides benefits. J. Hall asked whether a bind about words was occurring. Lyons asked why preference is used rather than orientation. There was a brief discussion about why that might be the language used in the policy. Heminway asked for people to give her their comments.

#### Budget and Planning Committee/Knoxville Place (J. Nolt and S. Blackwell)

Blackwell said Committee members thought the acquisition was worrisome. H. Nemcik and B. Peccolo met with them and reassured them that the financial data appears to ensure zero harm to the campus. The Committee remained concerned about the physical property and that this development ever occurred. They drafted a working paper that established a way that the Senate could ensure that such a development does not happen. (Some things happened in the past, i.e., construction of building and transfer without faculty input.) While Nemcik is at the head of the Foundation, nothing similar will occur. J. Nolt said he had three concerns: how the acquisition affects the campus budget, the lack of faculty participation, and how this acquisition will affect the campus in the long term as building is not up to LEED standards, etc. (Nolt noted with reference to his second point that its \$50 million and the system has promised \$5 million for exterior work and maintenance.) One possible action would be to pass a resolution expressing discomfort. White could then express that discomfort to the Board of Trustees. Gross said that plan is not clear. The purchase would not be from the system, but it would be from another entity. He asked whether there was a public report or plan. He noted that for years he had listened to P. Scheurer complain about the problems associated with the outside properties the campus had acquired on Sutherland Avenue. Barlow said K. Stoner has a plan based on 95% occupancy. She said that the campus was promised \$4 million initially to cover expenses and that another \$1 million would be available, if needed. Gross asked what would happen if the costs were \$10 million. Blackwell asked how realistic it was to assume 95% occupancy for 12 months. Nolt questioned whether the students would end up being soaked. He has looked at students' online comments. Some of their complaints are about management, so we could address them. Heminway asked about the realism of the projections. Barlow expressed great confidence in the projected 95% rate. Murray said why aren't we asking questions about what is the best resolution, instead we have just got this option. Barlow replied it will take three years to complete the residence hall the campus is currently planning. Patterson said this horse is out of the barn and the Provost concurred. Nolt asserted that the Senate needed to speak. Gross asked how acquisition of this property would affect the planned residence hall. Barlow assured him that the campus would move forward with that project. Gross asked how the campus or the University would benefit from purchasing the building. Holub said that the advantages appear, if one looks beyond the economics of the arrangement. Nolt asked for the sentiment of the group. Gross said the Board of Trustees should be made aware that the acquisition is a campus concern, a long term concern. Heminway said that the decision making process looks like it incorporates conflicting interests. Hall argued the group needed to make some statement about faculty interests. Misra wondered about timing. Patterson pointed out that the Chancellor has said we have other issues and that pursuit of this one might undermine our effectiveness on other issues. Nolt suggested that while the transfer could not be stopped, concern still could be expressed. Lyons suggested that the political benefits of taking one for the team would be greater, if the financial and environmental liabilities associated with acquisition of the property were made clear. Patterson asked if it was

a talking point for the faculty representative to the Board of Trustees. Lyons said questions included those of conflict of interest and the business plan. The Executive Committee members affirmed that acquisition of Knoxville Place should be included among the talking points.

## **V. NEW BUSINESS**

### Undergraduate Council (J. Romeiser)

J. Romeiser reviewed the status of the proposal from the Provost for implementation of minus grades. The Colleges have considered the change and supported it, as has the Academic Policy Committee of the Undergraduate Council. In the meetings Diacon had with students last spring and this fall, the students indicated they were unhappy with the proposal. The Undergraduate Council tabled the proposal until its September meeting, at which time it was approved. At the October Undergraduate Council meeting some "clean up" issues were addressed, e.g., a C-grade would not constitute good standing. At its next meeting the Senate will be voting on the minus grade policy and associated catalog changes. Patterson explained that he did not call on the Undergraduate Council and the Graduate Council at the last Senate meeting. M. Breinig noted that some Arts and Sciences faculty members had expressed concerns about the policy that would be brought to the Senate meeting. Misra asked what the objections were. Diacon said students tend to believe that the GPA will be lower, even though there is not evidence (based on information from other institutions) that this is a consequence of adding minus grades. He noted that one consequence would be a drop in the number of students graduating with 4.0 overall averages. Gross suggested it would be useful for Senators to have the reports Diacon referred to and asked why there was no drop in average GPA, if the number of students with 4.0 averages decreased. Diacon replied that North Carolina State and Wake Forest conducted studies and found nothing greater than a .02 difference in GPAs. UTK is unusual in having plus grades but not minus grades. (The University of Nebraska Kearney did and they found no difference in average GPAs.) Gross asked if schools were consistent in the numerical values they assigned to plus and minus grades. Diacon noted the values typically assigned to pluses and minuses. Schools were equally divided as to whether there was an A+ grade. Breinig noted two concerns were lottery scholarships and the impact of a C- grade in a course in the student's major. Gross asked if the change in grade policy would cost anything. Diacon replied that Monique Anderson has not mentioned that there would be.

### Committee on Campus Environment (J. Nolt)

Nolt presented the resolution pertaining to global climate change. He noted that a thousand universities had signed on. The resolution was moved and approved to take to the Senate.

### Faculty Senate Retreat Reports (D. Patterson)

Due to the late hour, Patterson again postponed discussion of the reports from the Retreat.

Meeting adjourned at 5:10 p.m.