

## MINUTES

Faculty Senate Executive Committee

March 10, 2008

Present: Denise Barlow, Stephen Blackwell, Toby Boulet, Marianne Breinig, Ruth Darling, Lou Gross, Joanne Hall, Joan Heminway, Robert Holub, Suzanne Kurth, John Lounsbury, Kula Misra, Matt Murray, John Nolt, David Patterson, Owen Ragland

Guest: Scott Simmons

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

D. Patterson called the meeting to order at 3:36 p.m.

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

Minutes of February 11, 2008, were approved.

### **III. REPORTS**

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

D. Patterson reported that he and a few others had met with Jesse Poore, newly appointed CIO, to discuss perspectives on campus IT operations. Poore was invited to the March 24 Faculty Senate meeting. L. Gross added M. Breinig was collecting IT questions and he urged Executive Committee members to encourage people with questions to contact her and also to come to the meeting.

Patterson provided several brief updates. He received an e-mail from Hap McSween noting that the aggressive schedules for a new Chancellor had been too ambitious, so interviews would probably take place next year. He also explained that he was leaving that evening for meetings of the Board of Trustees and the University Faculty Council. He announced that the Nominating Committee was working to have two candidates stand for election to the President-elect position. At a meeting with President Petersen, he understood that there was a candidate for the position of Vice President for Human Resources, but he had heard nothing since then. D. Barlow and R. Holub confirmed that they had not either. Patterson planned to ask B. Fenwick to meet with the Senate to discuss how the campus calculates research dollars (e.g., whether HOPE scholarship dollars are included) to see whether there had been actual change over time. Members of the Budget and Planning Committee were scheduled to attend the various upcoming budget hearings and he planned to attend also. Patterson requested that committee chairs bring abbreviated committee reports to the next meeting to be presented to the Faculty Senate for the record. He noted that per the recent meeting with the President he had anticipated that the Vice President for Academic Affairs would be present and had sent her the agenda and the other meeting materials.

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

Provost Holub noted that he was in the midst of budget hearings. Following the new procedure, he had met with the individual Deans and felt they had had productive discussions. He was revising the forms to be completed. The round of hearings on Thursday and Friday would probably produce the same information from the Deans. In his view, the budget presentations provide a sense of the priorities in the various colleges and suggest in which units to invest. The Academic Review Process (promotion and tenure decisions) was proceeding. As

in previous years, some of those decisions might be taken to the Faculty Senate Appeals Committee.

Gross said two years previously part-time tenure was approved. He asked whether anyone other than the one person then granted it had received it. No one had that information available at the meeting. Patterson asked about the use of "open" lines for operating. Holub replied that he was trying to eliminate the unproductive use of lines. If the lines do not have enough money in them to pay a salary, then they are not realistic. He understood that in the past units experienced some difficulty restoring lines and consequently they were reluctant to give lines up. He and Barlow were discussing holding empty (unfunded) lines in the Provost's Office to address that concern. K. Misra asked whether the money in currently unfilled lines would fund operating. Holub said the money would remain in the colleges. He asserted that the problem has been money, not lines. J. Heminway asked whether he was pursuing this course of action in consultation with the colleges. She said her college could only realistically mount about two searches a year. Holub replied that Law could realistically hire three faculty members with its seven lines. He said he wanted the number of positions to be accurately reflected with the required funds. Gross pointed out that if start up money had to come partially out of departmental budgets, departments would want to retain the money currently in the lines. Holub indicated he had been in conversation with Fenwick about regularized ways to fund start up. One question was whether open positions should be held at the department or college levels. A rational approach would involve pulling money back to larger units. Gross pointed out that some campus academic departments are larger than some colleges.

Gross asked whether there was a graph depicting the number of faculty members relative to the number of students (or credit hours). The number of filled faculty positions seems to have been stable over the past five years. Such a graph would show the faculty, as well as the system, the current situation—doing more with less. A discussion ensued focused on whether such a graph should include only tenure and tenure-track faculty members or also lecturers. Holub indicated that he did not think there had been a change in the number of lecturers over the past five years. Misra inquired about why money should not come back to faculty lines. Holub replied that he did not think units were wasting money, but he did think it was unlikely that once money was used for operating that it would return to faculty lines. O. Ragland suggested that the proposed chart could be carried forward, that is, it could include projections. Would the focus be unfilled lines? Holub said the campus is being asked to grow through increased retention. The goals for entering enrollment are stable. There is no intent to increase the size of entering classes without increased funding. Ragland suggested a chart could highlight the need for growth. Gross commented that the campus had experienced increased numbers. A discussion of entering class size and differing perceptions of enrollment dynamics ensued.

#### **IV. PREVIOUS BUSINESS**

##### Faculty Affairs (J. Heminway)

Heminway requested that the Ombudsperson resolution introduced at the last Executive Committee meeting be approved. Patterson sent out a request for comments on the resolution and received one response that focused on the effects of the reduction to only one person on the options available for informal mediation. Heminway had thrown out the option of having a cadre of trained mediators as a future possibility. Patterson had responded "let's not go there." J. Hall said if stringent criteria were utilized in hiring the person that there should not be a

problem with the character of the Ombudsperson. She noted it was nice having three people. Heminway noted the Ombudsperson Search Committee was scheduled to meet after spring break and it would include one of the faculty members who had served as an Ombudsperson. Heminway reviewed the major points included in the resolution presented at the previous meeting:

- Change from three people to one
- As both staff and faculty would be served, faculty status was no longer a requirement
- Interaction with the Faculty Senate would probably be through a committee
- A new method of selection would be employed and the Chancellor would be responsible for reappointment

Gross pointed out the lack of a grievance procedure for staff would make the task very hard. A motion to approve the resolution was made and seconded. Motion passed.

#### No-Confidence Vote (J. Hall)

Hall reported that a number of people had communicated with her about a no-confidence vote. She believed the Executive Committee should discuss it and the intent in doing the survey, as the vote issue appeared to have died. Gross said there would be no benefit to the faculty to take such a vote, as it would create discord on the faculty and nothing would be gained. J. Lounsbury asked whether the faculty could ever take a stand. Gross said internal discord would be high with probably only about 70% of the Senate in support. Heminway said she also has had conversations with colleagues. A vote was delayed for the meeting with Petersen. Hall said her question was whether the Senate was holding a no-confidence vote as an option in its back pocket for later action, as the moment to do one appeared to have passed. Lounsbury said that the Senate gave the President one more chance and that meeting produced some success, so as a consequence Patterson interpreted the situation as one in which the Senate should back off. He reported that he too has had colleagues ask about what the Senate was going to do. President Petersen said the survey results were due to faulty methodology, but Lounsbury believed similar results would be obtained from another survey. He said another survey could be conducted and momentum thus regained. Patterson said he did not think the momentum was lost. The possibility of a no-confidence vote was available, if necessary. In his view once you have played your card, that's it. From his perspective at least some progress has been made. It would be different if there were some new egregious act. Nine months after former Chancellor Crabtree recommended J. Poore, it became a good idea to appoint him. Petersen has a limited view of the meaning of shared governance. Patterson noted that he too had received e-mail saying the Senate looks bad for taking no further action. Hall asked whose card was it to play. She noted she agreed that the current time probably was not right for a vote, if no action were going to be taken. T. Boulet asked whether there was some way to convey the "wait and see" position to the faculty. Patterson said it was on his to do list and he would draft a statement over spring break.

Misra said some colleagues asked about the Senate taking a survey focused on how well it was doing. Patterson replied that this would be done on J. Nolt's watch. Heminway commented that the Executive Committee was continuing its discussion. Nolt indicated he thought a survey should be conducted next year. If campus funds are used for building the Cherokee Farm, faculty concern would be reignited. He affirmed the need to be able to take a vote. Ragland asked whether a statement could be made to the effect that "we are encouraged by progress made since the survey" and intend to do another assessment, for example, in the fall. Nolt said the Executive Committee could direct the Senate to conduct a survey. Lounsbury suggested

that an appropriate survey would incorporate more issues. Ragland suggested that Patterson could test the waters with other campuses and the Council meeting. Patterson asked Nolt to bring a resolution to the next meeting. The administration should want feedback on how it is doing.

#### Research Council/Faculty Forum (J. Hall)

Hall reported that although there was not high attendance for the first panel, it was a productive session. The next Forum was scheduled for March 25 from 4-5:30 and would focus on relationships (e.g., with ORNL and Cherokee Farm). She asked for suggestions for additional panelists.

#### Faculty Senate Elections (J. Nolt)

Four units did not need to hold elections. Fourteen units needed to elect Senators and only five had not done so (three in the College of Arts and Sciences). He still needed someone to handle the election in the Social Sciences.

#### Graduate Council—Bylaws (M. Murray)

The proposed Bylaws were briefly introduced at the January meeting. The Council did not have bylaws so a committee developed these. They were passed unanimously by Council. Some practices were codified (e.g., linkages to other campus bodies, voting). New practices include the chair not only having a one year formal term, but also one year as chair-elect and one year as part chair. Murray indicated he was unclear about the approval process. Gross said his only concern was about election by the faculty and not the Senate. Murray said they found in some colleges Council members were appointed rather than elected. The *Bylaws* specify a date in August that creates a problem. If they do not find out someone is on Council until August, problems appointing committees result. Heminway suggested that Graduate Council Bylaws be handled like the Ombudsperson *Handbook* change, i.e., in two readings. Murray said that would pose no problem as they could not be implemented this year in any case. He supported having a clear and transparent process.

Patterson said the first reading would be March 24 and the second one in April. Heminway was encouraged to check with Parliamentarian Stephens. Patterson referred the matter to the President-elect as he is in charge of the Bylaws. Boulet asked about changing these bylaws. Could the Senate amend the document? Gross moved that the proposed *Graduate Council Bylaws* be brought forward to the Senate for approval with a first reading at the March meeting and a second at the April meeting. Motion seconded and passed unanimously.

## **V. NEW BUSINESS**

#### IT Committee (M. Breinig)

IT people have been helpful in solving problems some faculty members were having. The IT Committee would like to be on the agenda for the next meeting to summarize some issues that have been solved and to bring some concerns. Patterson said he would put the IT Committee on the agenda for the next Senate meeting.

#### Undergraduate Council – Tenured Instructor (D. Patterson)

Patterson reported that the issue of having an Instructor serve was brought to him from someone on the Undergraduate Council. The statement in the *Bylaws* specifies that to be eligible someone must be full or part time and hold the rank of assistant professor or above.

The question brought to him focused on making an exception for a specific individual. Heminway said the issue really involved the Parliamentarian, as it would involve amending the *Bylaws*. Gross said the eligibility question arose in another case and the exception was allowed, but for him this one was a clear "no." Nolt said he asked the College of Business in its recent election of Senators not to count the votes of those not eligible to vote according to the *Bylaws*.

S. Blackwell said the most recent revision of the *Faculty Handbook* encouraged increased involvement of lecturers in department activities. He encouraged seeking consistency. Gross said the issue on the table was part of a much larger issue that came up during the process of revising the *Handbook*. In his view, if the Senate wished to pursue another view of the representativeness of its body, the issue should go to the Faculty Affairs Committee. Patterson affirmed it was a larger issue. Lounsbury asked what was at issue. Gross said there are different expectations for faculty depending on the department, i.e., they are expected to play different roles. Breinig said she believed it was a much broader issue. She pointed out the Graduate Council has a student member and there is a need for the perspective of contingent faculty.

#### Interculturalism Policy Statement (L. Gross)

Patterson thanked Gross for his work and asked if there was anything else the group wanted to do with Gross' analysis. Gross only focused on ads for science positions. The issue revolves around the statement "to demonstrate." Patterson said R. Geier was out of town. Holub suggested that perhaps it was being made into more than it needed to be. For example, there could be one question in the interview process. Gross said part of his concern was that the policy extended beyond the faculty. Patterson said it would be considered at the April 7 meeting.

#### E-mail Broadcasts to Faculty (L. Gross)

Gross pointed out that until recently there had been a limited number of e-mail broadcasts, but that now he received them for athletic events. He assumed someone approved them, yet even the Senate does not have broadcast approval. He asked whether there was a policy and, if not, whether there should be one. Holub stated that he thought the Chancellor approved such e-mails. Barlow said she did not know who would approve athletic messages. Holub said he would inquire. Breinig said messages from the President presumably do not go through the campus administration.

Meeting adjourned 5:00 p.m.