

Minutes of the Faculty Affairs Committee Meeting of October 15, 2007

Present: Norma Cook; Joan Heminway, Chair; Norman Magden; Julia Malia; Neal Shover; Gary Ubben; Michael Wirth; Virginia Kupritz and Steve Thomas.

The agenda was circulated well in advance, and the committee met in the Faculty Lounge of the Law School. The meeting commenced at 1:30 pm.

Joan Heminway reinforced the importance of the bylaws project as spelled out in the agenda and asked for a volunteer to “complete the process of collecting and posting urls of department and college bylaws on the resources section of the Faculty Senate web site.” Steve Thomas stepped forward.

The committee took up the question posed in the agenda with supporting documents of whether or not Section 1.1 of the *Faculty Handbook* should be adjusted to conform to the Knoxville campus anti-discrimination statement and the sentiments conveyed in the Provost's statement on Principles and Prejudice (<http://provost.utk.edu/forum/principles.shtml>). Committee sentiment was supportive of the change, but there was much discussion about larger potential legal ramifications, particularly conflict with federal and state law. By consensus, the committee agreed that Joan Heminway will discuss with Susan Martin recommendations for handling factors associated with the proposed change.

The committee was asked to review and discuss a request from Basil N. Antar, at the UT Space Institute, for additional information about the meaning of “bylaws” and the process of approving initial college and department bylaws. Much discussion followed. Joan Heminway noted that one of the immediate problems raised by Basil Antar's request could be resolved by reproducing in the *Faculty Handbook* a sentence that appears in the *Faculty Evaluation Manual*: “The term 'bylaws' is used in this manual to designate the unit's core procedures and policies that have been ratified by the majority of the tenured and tenure-track faculty of the unit.” Joan noted, however, that this sentence may be read to require that bylaw changes always be ratified by a majority of the tenured and tenure-track faculty of the unit, which may conflict with both (1) established approval requirements in existing unit bylaws and (2) desires in certain units for approving and implementing new bylaws that provide for different approval requirements (e.g., supermajority voting requirements). The committee supported the proposal to insert language in the *Faculty Handbook* to address both the matters raised by Basil Antar and related issues, and Joan agreed to pursue them further in a meeting with Susan Martin. Joan will bring a specific proposal back to the committee for approval.

The final matter taken up by the committee was uncertainty surrounding tenure and service limitations of the current Ombudspersons for UTK. Concern was expressed about possible revisions to current descriptions of the position and its related responsibilities and operating procedures. The committee is united in belief there is urgency in resolving present uncertainty about the Omsbudperson function at UTK and asked that Joan Heminway express its concerns in this regard to the Faculty Senate President and Provost.

The meeting adjourned at 2:35 p.m.

Respectfully submitted,
Neal Shover