

Faculty Senate Executive Council  
MINUTES  
February 21, 2011

Present: Joan Heminway, Vince Anfara, Toby Boulet, Joanne Deeken, Stefanie Ohnesorg, Doug Birdwell, Chris Cimino, Laura Howes, John Koontz, Beauvais Lyons, Carole Myers, Conrad Plaut, Lloyd Rinehart, Ken Stephenson, Steve Thomas

By Invitation Guest: Elizabeth Tramm

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

J. Heminway called the meeting to order at 3:30 p.m.

### **II. REVIEW OF MINUTES**

A motion to approve the minutes of the January 24, 2011, Executive Council meeting was requested by J. Heminway. J. Deeken reported that B. Lyons had emailed her an amendment prior to the meeting. Deeken read the amendment, which changed text on page 5 (Provost's report Section B) from "UTC" to "UTM." Lyons explained that it was UTM who had many courses which were considered "low producing" by THEC. A motion to approve the minutes as amended was made by Lyons and seconded by K. Stephenson. The minutes were unanimously approved as amended.

### **III. REPORTS**

#### President's Report (J. Heminway)

J. Heminway thanked the Executive Council for being efficient last month in handling a long agenda.

*A. Civility and Community Issues.* The report from the Budget and Planning Committee is moving through the process. Heminway indicated that the report has already been beneficial to campus decision-making and that the low-cost and no-cost items from the report are being initiated. The campus administration is being more circumspect with respect to the implementation of higher cost items (e.g., creating new positions). C. Plaut was thanked for the thorough and thoughtful work of his committee and his presentations to the Press. There is some push-back regarding amending the Student Code of Conduct in the manner suggested in Plaut's related memorandum. Changes to that document must go through the State legislature, according to Heminway.

*B. NRC Forum.* Heminway reminded the members of the Executive Council that the forum on the NRC rankings will be held on March 9 in the Lindsay Young Auditorium at Hodges Library. Dr. Carolyn Hodges, Dean of the Graduate School, along with Dr. Carl Wagner of the Math Department and Dr. Tom Ladd of the College of Business Administration, will speak at the event. They will explain the methodology of the rankings and suggest ways to compare and use the NRC data within the campus and for benchmarking with external entities. The data may help us compare with our aspirational peers. Heminway will introduce the session. The idea is to help attendees understand and make positive use of the data. The data may provide a starting point in determining how UTK should proceed to improve its position. Stephenson suggested that data templates by area might be able to be created.

*C. UT Background Checks.* Heminway has worked with the Provost's office to follow up on issues relating to UT's newly introduced background check policy. Background checks apply only to new employees. As Heminway had noted in her report for the last meeting of the Faculty Senate, the release statement for the background check program was overly broad and is being amended. However, other issues remain to be resolved. What happens when the background check turns up some negative information? Is the person not hired? The workflow will be posted on the UTK website. What happens if a candidate is from a foreign country? How will we handle equity issues? Heminway found policies/workflow outlines from other universities and sent them to representatives of the Human Resources department. The idea is to protect the university but not to invade the privacy of individuals unnecessarily. The background search will be performed after the narrative summary in a search is finished. Each of the individuals in the final pool will get a letter requesting his or her signature on a release form. Information to be obtained may include credit and police reports. The reports will be reviewed before a final letter of appointment is released. The delay in the appointment process is estimated to be approximately one week. Human Resources subcontracts out the searches to a private company. Most searches will be finalized in 24-48 hours, with a few extending to 3 days.

L. Rinehart said he feared this would delay what is already a slow process for appointments. D. Birdwell asked why the records checks could not be done by the UT Police. C. Cimino replied that he understood that national criminal searches are not available to the UT Police without incurring higher costs than are charged by the chosen vendor.

Birdwell indicated that the Human Resources forms at UTK require a one-month notice of possible layoffs. This was not required in the past. Cimino did not believe that this is UTK policy.

*D. Service Learning Insurance Fees.* Heminway informed the Executive Council that the university charges an extra \$32 per semester insurance fee for students enrolled in a service learning class. J. Nolt brought this to her attention. Heminway believes that it is important for us to ask questions about the fee. Among them: "What is the risk being covered by this fee?" Also, "Is it possible to self-insure and not impose this fee?"

*E. TUFS update.* [http://tnga.granicus.com/MediaPlayer.php?view\\_id=181&clip\\_id=3516](http://tnga.granicus.com/MediaPlayer.php?view_id=181&clip_id=3516) Representatives of the Tennessee University Faculty Senates (TUFS) gave a presentation to the Tennessee Senate Education Committee on February 9. As officers of TUFS, both T. Boulet and J. Nolt, past UTK Faculty Senate Presidents, were part of the delegation. Heminway praised the group as good representatives of the Faculty Senates. The discussion was broad since they were representing all Faculty Senates in Tennessee, not UT or UTK. T. Boulet mentioned that legislators reported they found the session very useful. He also felt that it was a good opportunity for introducing themselves to the Senators and for networking. The group will meet with the House Education Committee on February 28.

*F. Other.* Heminway asked V. Anpara to discuss the state of the annual elections for the Faculty Senate. Anpara reminded those present that he is still looking for nominations for President-Elect and for committee chairs. He also noted that the ballot for the elections of new senators was sent to Cary Springer (OIT) on February 21. Most of the elections will be handled digitally through OIT. She will create the on-line ballots for the colleges. Rob Chance (Treasurer) will

supply a list of eligible voters. Anfara voiced concern on the small number of candidate names submitted. Most colleges do not have two candidates for each vacant position. One college submitted no candidates. The caucus from that college hopes to have names submitted by February 23. Blank lines for write-in candidates will help meet the two-candidate requirement. Committee chairs are asked to email Anfara about whether they would like to continue in their roles. Under the Bylaws, the Committee on Nominations and Appointments shall count the votes and notify the Senate President-Elect and Senate Secretary of the outcome no later than Spring Break. It is possible that this year's results will not be available until approximately April 1.

#### Chancellor's Report

The Chancellor was unable to attend this meeting.

#### Provost's Report (J. Heminway for S. Martin)

The Provost also was unable to attend the meeting. Heminway read a note from and on behalf of the Provost.

Provost Martin had received the report from the Department of Modern Foreign Languages and Literatures regarding the possible discontinuances of the Russian and Italian majors. The Provost called the report very thoughtful. She promised a quick response to the report. The Provost also reported on the ongoing Dean searches. Progress will continue expeditiously. Overall, the searches are producing great candidates and she is happy with processes and the candidates. She encouraged attendance at the open meetings for the Vice Chancellor for Research candidates.

Heminway asked if there were questions that could be passed along to the Chancellor or Provost.

She first was directed to ask how ESPN funds were being distributed.

Birdwell is concerned about a possible U.S. government shut-down next month. The likelihood of this happening is increasing. Cimino was asked about guidance for employees being paid through federal grants. He replied that in the past there were no great problems when the government failed to pass a budget. The worst scenario was 1995/96. The greatest impact on UTK/UTIA would be an income stoppage. There then would be no reimbursement for expenses. Grant submissions will be stopped. Birdwell asked if we should furlough people paid on grants. Cimino said furloughs would not be done immediately but might have to occur. He also noted in response to a question that while UT had not been asked to return money or refund money that had been paid over in the past, there is no guarantee this would not occur if the government shuts down now or in the future. The University is temporarily willing to accept this risk, but will constantly evaluate the situation.

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

Anfara introduced certain substantive changes to the Faculty Senate Bylaws. The proposed amendments were endorsed in principle with the following exceptions:

- a. Article II, Section 1, Subsection A. The second sentence was amended to read "Five additional members will be appointed by the Chief Academic Officer, subject to the approval of the Council of Deans."
- b. Article III, Section 2, Subsection B. The second paragraph was replaced by the wording included in the *Faculty Handbook*.

Anfara was asked to incorporate these changes and others noted on the marked draft earlier presented to the Executive Council into an amended and restated set of Bylaws and present them for approval at the March Executive Council meeting. He agreed to do so. Heminway indicated she would help.

## **V. NEW BUSINESS**

S. Thomas described the process of making editorial changes to the *Faculty Handbook* and the nature of the editorial changes recently forwarded by the Faculty Affairs Committee for review and approval in accordance with the process. There was a brief discussion regarding these changes. The Executive Committee expressed support for the proposed changes.

Thomas next introduced, as seconded motions from the Faculty Affairs Committee, three resolutions amending the *Faculty Handbook*.

- a. Proposed amendment to Section 1.4.1. After discussion, the amendment was passed unanimously.
- b. Proposed amendment to Section 8.1. After discussion, the amendment was passed unanimously.
- c. Proposed amendment to Section 1.1. After discussion, Heminway asked if the words "or gender identity" should be inserted immediately after the words "sexual orientation" in the proposed language. Boulet moved consideration of the amendment. Lyons seconded it. The amendment passed unanimously. The resolution as amended also passed unanimously.

At the request of Heminway, C. Myers reported on the UTK application for Carnegie Community Engagement Classification. In December, UTK learned that the application had been denied. 154 applications were submitted; 115 were approved. In general, the comments praised individual outreach activities on campus, but stated there was no university-wide coordination of UTK's outreach efforts.

## **VI. ADJOURNMENT**

Adjournment was moved, second, and approved at approximately 5:10 p.m.