

**University of Tennessee**  
**Faculty Senate**  
**FACULTY AFFAIRS COMMITTEE MEETING**  
**Monday, December 3, 2007, 1:30 PM**  
**Dean's Conference Room, UT Law School**

Minutes

Present: Norma Cook; Katherine Greenberg (at the invitation of the Chair); Joan Heminway, Chair; Norman Magden, Julia Malia; Steven Thomas; Gary Ubben; and Mike Wirth.

**I. Agenda**

- A. Approved as submitted.

**II. Minutes**

- A. Minutes of the meeting of November 12, 2007 approved as corrected.

**III. Unfinished Business**

- A. Unit Bylaw Posting Project - Report (S. Thomas)

Deans and department heads will continue to be contacted regarding an affirmation and location of their unit bylaws. A response deadline of January 15, 2008 will be included in this communication.

- B. Faculty Handbook - sexual orientation non-discrimination - Report; Discussion of Potential Revised Language and Strategy (J. Heminway)

J. Heminway reported that the Provost's reaction to the *University of Memphis Policy on Sexual Orientation* document was positive and he supports the phrase "sexual Orientation" and anything related to benefits in this context, but he will defer to the FAC for their recommendations. The Chancellor and Vice Chancellor Susan Martin advocated that the issue of gender identification be included with sexual orientation. It was agreed that J. Heminway re-issue the original statement adding text regarding gender identification as represented in the Memphis policy statement.

Further discussion involved defining concepts related to gender identification that included "gender identification" equals self-determination and "gender" equals a third person designation. J. Malia suggested that a way to think about this might be to consider the term "sex" as a matter of biology, "gender" as sociology, and "gender identification" as psychology. It was pointed out that Candice White, former president of the UT Faculty Senate and who made earlier contributions to this subject is now a member of the Board of Trustees.

- C. *Faculty Handbook (and Manual for Faculty Evaluation?) - defining unit bylaws and outlining related approvals* - Report: Discussion of Proposed Revised Language and Strategy (J. Heminway)

Discussion was initiated by a proposed statement listed in the agenda for insertion as a new paragraph in Section 1.4 of the *Faculty Handbook* as follows:

“Each academic unit is governed in accordance with its own bylaws, the unit's core procedures and policies that, normally, have been ratified by a majority vote of the tenured and tenure-track faculty of the unit. Each unit's bylaws should provide for amending these individual procedures and policies (e.g., specifying how much notice must be given in advance of a meeting to amend the bylaws and what a quorum for such a meeting must be). The bylaws may also denote situations where something other than a simple majority of the tenured and tenure-track faculty of the unit may be required to take an action. For example, amending a given procedure may require a supermajority vote of the tenured and tenure-track faculty of the unit. If a policy involves a specified sub-group of the unit's faculty (e.g., only the tenured faculty or only professors), amending that policy may require a vote (either majority or supermajority) by that specified sub-group.”

A decision was made to post this as a matter of guidance on the Web in lieu of proposing a change in the Faculty Handbook at this time.

- D. Faculty Handbook - Faculty Ombudspersons - Report; Formulate Proposed Language (J. Heminway, J. Malia): number of Ombudspersons, faculty vs. non-faculty, qualifications, manner of selection, description of role, and other related items.

In the agenda J.Heminway advocated it may be helpful to look at the International Ombudsperson Association (IOA) Standards of Practice  
[http://www.ombudsassociation.org/standards/Stds\\_Practice\\_1\\_07.pdf](http://www.ombudsassociation.org/standards/Stds_Practice_1_07.pdf)

J. Heminway welcomed Ombudspersons Katherine Greenberg and Julia Malia, who then noted that the third former Ombudsperson, Joanne Hall, was not able to attend this meeting. This was followed by a distribution of the text regarding Ombuds Office from the *Faculty Handbook* to committee members of the committee.

The committee discussed a number of issues related to the questions listed in the agenda heading on this subject. These included kinds of qualifications as presented by the Ombudspersons who were present; needs to know the university system, must have formal mediation training, and the development of hiring criteria. While some examples were described, they appeared to be inadequate and no firm agreement was reached. Most of the remaining discussion focused on whether the position should be occupied by current UT faculty or hired from an external search. Comments for each point of view were offered that included the advantage of inside knowledge and familiarity with UT system versus potential neutrality and objectivity of an Ombudsperson hired from the outside.

J. Malia strongly recommended that the committee should review the *Faculty*

*Ombuds Office Annual Report 2006/2007 with special attention to the addendum, Ombudspersons' Perspective on Restructuring of the Faculty Ombuds Office (September 10, 2007).*

It was pointed out that in this discussion there should be continued respect for the faculty's decisions regarding the Ombuds Office that were added to the *Handbook* and that this matter should always involve broad faculty consultation.

**IV. New Business**

- A. Meeting Dates for Spring 2008 were discussed with no final agreement. J. Heminway will contact FAC after the semester begins to pin down a day and time. A suggestion that seemed to be almost acceptable might be a continuation of Mondays at 1:00 PM.

**V. Adjournment**