

Agenda
Faculty Senate Executive Committee
August 25, 2008

I. CALL TO ORDER AND INTRODUCTIONS

II. REVIEW OF MINUTES

Minutes of the Executive Committee meeting of April 7, 2008

III. REPORTS

President's Report (J. Nolt)

Provost's Report (S. Martin)

Chancellor's Report (J. Simek)

Brief reports from committee chairs

Vince Anfara, Graduate Council

John Romeiser, Undergraduate Council

Doug Birdwell, Appeals

Joan Hemingway, Faculty Affairs

Joanne Hall (or Bill Blass or Ken Stephenson), Research Council

Budget and Planning, Don Bruce

India Lane, Teaching Council

Margo Holland, Athletics

Anne Smith, Library

Paul Crilly, Student Concerns

Marianne Breinig, IT

Tse-Wei Wang, Professional Development

Becky Fields, Faculty and Staff Benefits

IV. OLD BUSINESS

Faculty Survey Resolution

V. NEW BUSINESS

Recommendations to Graduate and Undergraduate Councils (Executive Council)

Resolution on Differential Tuition (B. Lyons, D. Patterson)

Possible revision of senate bylaws regarding quorum (T. Boulet)

MINUTES
Executive Committee
April 7, 2008

Present: Denise Barlow, Stephen Blackwell, Toby Boulet, Marianne Breinig, Ruth Darling, Becky Fields (for R. Ellis), Lou Gross, Joanne Hall, Joan Heminway, Robert Holub, Suzanne Kurth, India Lane, John Lounsbury, Beauvais Lyons, Kula Misra, Matt Murray, John Nolt, David Patterson, Owen Ragland

Guests: Todd Diacon, Rita Geier, Martie Gleason, Clark Miller, Mary Papke, Scott Simmons, Richard Tucker

I. CALL TO ORDER

D. Patterson called the meeting to order at 3:34 p.m.

II. APPROVAL OF MINUTES

Minutes of March 10, 2008, were approved.

III. REPORTS

President's Report (D. Patterson)

President Patterson thanked the members of the Budget and Planning Committee for sitting through the Chancellor's budget hearings. He noted that the Board of Trustees is evaluating the President, as he received a form requesting his evaluation of the President. He had distributed to the Committee a draft of his statement to the faculty explaining lack of action on a no-confidence vote. He planned to distribute it later in the week, after it is further edited. Patterson noted that K. Misra had reminded him about the plan to invite the two Athletic Directors to report to the Senate. He asked about the timing. B. Lyons asked whether there would be enough time to have them on the agenda at the next meeting given that the committee chairs would be giving their reports. He proposed having them present at a fall meeting when the agenda would not be as full. Misra pointed out that having them report had been discussed at two Executive Committee meetings and he thought they should be invited. T. Diacon thought adequate time should be allowed for each of them to make 15 to 20 minute presentations. J. Nolt agreed to their presentations being postponed to the fall. M. Murray pointed out the advantage would be the new Senators would hear the presentations. Patterson indicated he would be willing to communicate the reason for the delay to the Athletic Directors.

Provost's Report (R. Holub)

Given the full agenda, the Provost said rather than giving a report he would simply answer questions. Lyons asked how he was envisioning what areas would be the focus of improvement funding. Holub said graduation education would be a focus. Funds initially would be made available on a non-recurring basis with benchmarks set for their becoming permanent. For example, a unit would need to show that being able to award higher stipends led to having better graduate students. L. Gross said it was rumored that some units had received approval to change some instructional lines to GTA lines. Holub confirmed that some units had been allowed to reallocate instructional money. Patterson asked whether the allocation of the 3% salary increase would be based on merit rather than across the board. Holub said in his view with the current situation, the campus will do best by devoting salary increases on the basis of merit. He said this was the view of the Deans, the Chancellor, and the President, as well. Nolt

addressed the issue of fairness. Last year there was 4% inflation. Faculty members who are doing a good job are losing ground. The Faculty Senate has taken the position that cost of living takes precedence over merit. Holub said that a better solution would be to have a pool for merit, and if the legislature mandates a small across the board increase that would be nice. Nolt said he understood Holub's approach, but believed it could create a morale problem. Lyons said he echoed Nolt's points. He asked about any efforts to address significant differences that exist in some units by rank compared with THEC peers. Holub said the merit pool set aside he proposed would have people competing as individuals, not as members of units. He noted all discussion was hypothetical, i.e., contingent on what money is allocated. S. Blackwell asked whether he saw the Faculty Senate playing an influential role in the allocation of money, e.g., would a survey be useful. Holub said he was making the decisions based on having UTK become a top rate university. Misra asked what the department heads thought. Holub replied that he did not meet with them, the deans did.

IV. OLD BUSINESS

Interculturalism Policy Statement (R. Geier)

R. Geier thanked everyone for providing feedback. She said the goal was to have a workable policy. She pointed out that presenting diversity and interculturalism in our classrooms was the only way to reach every student and doing so was directly tied to our educational mission (e.g., promoting critical thinking, integrating knowledge). She acknowledged the challenges faced by UTK and other institutions in doing so when courses did not focus on social and individual issues, as well as the importance of addressing different learning styles. The policy statement was not intended to decrease discretion in hiring, but rather to make it clear that at some point in the hiring process diversity and interculturalism must be considered. In response to comments, language has been modified. In the general policy statement, emphasis is on *values*. In qualification documents, focus would be on *demonstration*, e.g., through participation in intercultural professional organizations or other activities. Rather than specifying that it would always be required, the recommendation now is that deans and department heads could choose whether it would be a desired or required qualification with the Provost's concurrence. Nolt asked whether the criteria would only be for hiring or would they be used in awarding promotion and tenure. M. Papke said that was the plan, so that eventually changes would have to be made in relevant documents. Gross sought clarification of when the statement would be used, as when it was first brought up it was for ads. Geier said it was intended for all faculty and exempt staff ads. Lyons applauded the effort to have a more workable statement. He suggested that policies could be written, but there is need to change culture, so for example faculty in Engineering would reach out to people who would not ordinarily pursue careers in engineering. Papke said they were meeting with deans and department heads the next day. Patterson said there appeared to be a request for approval of the language. He requested that a one-page sheet with the wording be provided. It could then be electronically distributed and approved by the Executive Committee permitting it to be on the agenda for the next Senate meeting. Geier noted that after the meeting on Friday there had not been time to prepare a document. Gross had an operational question about the role of the faculty (in addition to deans and department heads) in deciding whether it would be a requirement for a position. He asked whether both statements would be distributed. Papke said one document was the job description and it would have the *values* statement. The other document would be the personnel one that listed the required and preferred qualifications for a position (e.g., a Ph.D.). Holub disagreed with Lyons saying the campus already values diversity

and he considers it when evaluating deans. Lyons agreed it was an item in department heads' and deans' evaluations.

Research Council – Faculty Forum (J. Hall)

J. Hall reported the third panel was scheduled for April and two of the topics would be Cherokee Farm and creation of a faculty commons. Boulet suggested that consideration be given to virtual space, as well as physical space, for the commons. The fourth panel would be held in the fall.

Faculty Senate Elections (J. Nolt)

Nolt reported that all elections except those in the College of Arts and Sciences had been completed, but that those were underway and would be completed by April 15. Lyons pointed out the need to solicit committee preferences from Senators and propose committee memberships to the Senate. Nolt said the Committee would use the week after the elections were completed.

Living Wage Study (S. Blackwell)

S. Blackwell said Martie Gleason was a guest at the meeting and could answer questions. Blackwell distributed 2007 living wage data. Blackwell noted that current costs of only bringing those earning less than a living wage would be \$5,389,668. He noted that an alternative pay scale (addressing the problem of high paid exempt positions) was being considered to produce more realistic numbers about what would need to be done to address living wage adjustments and resulting compression. Also, the progression might be changed to reduce the amounts. The chart showed the costs of achieving the goal were down and the number of employees not earning a living wage was lower. Murray asked whether those changes were due to a reduction in the number of workers. (There was a reduction.) Lyons asked about the methodology noting previous use of October 2005 data.

A living wage is a moving target. The pay scale model needs refinement and compression needs to be thought of in different ways. Another principled look needs to be taken at living wage criteria. Are there other ways to define success? (The model is built on the premise of a single earner.) Another model would focus on the market. The midpoint is closer than it has ever been.

Gender Salary Study (L. Gross)

Gross noted the report he distributed followed two previous ones addressing gender differences. J. Heminway asked if he had distributed it to the Association for Women Faculty. Patterson proposed sending it to Pam Hindle for the Commission for Women. Holub said whatever the study showed he had no means at his disposal to do anything. He asked last year for individual women to be compared to comparable males. Lyons said you could conclude that any efforts from the Provost did not have a significant effect. Gross pointed out that the study showed progress had occurred at the assistant and associate levels. The problem was at the full level. J. Lounsbury asked whether the Provost looked for patterns, e.g., high salaried new males hired and women leaving. Gross said the substantial differential could not be accounted for that way. Heminway asked if the Provost would check to see what is happening, i.e., whether all administrators did what they were supposed to do. Holub replied you'd have to conclude the women were less meritorious and that there was no practical action to take.

Gross suggested he could look to see if there were problems in particular units. Holub replied he specifically asked deans to compare them with men in their cohort.

V. NEW BUSINESS

Faculty Town Hall Meeting (Clark Miller, Mgr. of Internal Communications)

C. Miller indicated a town hall meeting for faculty paralleling one held for staff was being proposed for 1:30-3:30 on April 21 (before the next Senate meeting) in the Shiloh Room. That format has been successful because the process is directed and questions are not answered. Those in attendance are simply asked what concerns they have about various topics. Patterson suggested ending at 3:15 rather than 3:30 in order to clear the room for the Senate meeting. Misra moved having a faculty town hall meeting and there were multiple seconds. Motion approved.

Faculty Senate Committee Reports (Chairs)

Patterson proposed not having oral reports and having them posted on the web.

Annual Faculty Survey Resolution (J. Nolt)

The goal of the distributed resolution was to have a survey less open to question. Misra asked whether it would be publicly available. Nolt said it would be on the web. Murray said openness enhances credibility. Lounsbury asked whether the resolution was for the Senate or public consumption. Patterson thought the resolution should not be overly sharp and pointed. Lounsbury pointed out that the resolution did not indicate why a survey was needed and in his view additional things should be asked about, if the Senate was going to the trouble of conducting a survey. Lyons proposed a friendly amendment that would entail adding a final "Whereas" clause referring to the survey conducted in January 2008. Ragland asked whether the intent was to do a follow-up on the last survey because it was criticized or to do a broader survey. Hall pointed out that if comparisons were to be made, similar questions needed to be asked. Patterson said the same content areas could be used. B. Fields asked what the plan was for the survey results. She and her colleagues had been somewhat disappointed by what happened after the original survey. Nolt said action had followed the survey. He pointed to the committee meeting with the President and some of the actions that followed as evidence the survey accomplished its purpose for the time being. Patterson proposed the survey involved taking the pulse of the faculty. Murray pointed out everyone is evaluated on an ongoing basis and whoever is the current President should be no exception. Patterson said the Board of Trustees does an annual evaluation of the President. Gross said the Board shares a summary of that evaluation. Heminway suggested including other governance in the evaluation and a wording change. Misra asked whether there would be surveys about other administrators, as he anticipated some would ask why the President and not others. Patterson responded the President was not evaluated. Boulet agreed that it was appropriate for it to be just the President. Patterson said he would revise the document and send it out electronically for approval, so it could be brought to the next Senate meeting. Diacon asked if the Senate was evaluated. Lyons said Candace White had initiated such evaluation.

Evaluation of Deans and Proposed Faculty Survey (D. Patterson and R. Tucker)

The two agenda items were combined as they were intertwined. Patterson said he and the Provost had discussed the traditional paper survey of deans sent to every faculty member. Holub said he needed to know who submitted the information, as he values some opinions more than others. R. Tucker developed an online survey collecting information from faculty.

(Patterson had electronically distributed it.) In response to a question from Lounsbury, Holub indicated that the overall response rates for the paper surveys had not been high and in some cases he would get pages of negative comments. This survey would contextualize the evaluations. Patterson expressed concern that the academic year is nearing an end and that the response rate might be depressed because answers to some questions would allow individuals to be easily identified. Tucker said he could develop a general survey and put some items on it, but they want to administer the survey soon. Diacon said he understood the concerns, but the current (paper) survey does not indicate whether the respondent has personal knowledge of the dean. Patterson responded that items asking about knowledge could be added to the survey. Lounsbury said many items would identify individuals (e.g., who in a department taught an honors or Women's Studies course). Gross thought the survey was about faculty rather than an assessment of deans. Lyons encouraged as much anonymity as possible. Patterson said the survey conflated two things. Diacon said they combined them on purpose. Patterson said he appreciated the Provost's concern about the low response rate. Breinig thought a lot of faculty would not mind being identified, whereas I. Lane thought they would. Patterson pointed out that when a distribution is bimodal there is truth on both sides and Hall said bimodal would promote particular actions. Patterson said he would encourage faculty to respond.

Patterson noted that the Chancellor requested that a procedure be created for awarding honorary degrees. He is passing that item on to President-elect Nolt.

Meeting adjourned 5:34 p.m.

Proposed Charge to Graduate and Undergraduate Councils Concerning Program Closures

On August 11, 2008, the Faculty Senate received from the Office of the Provost a draft document entitled “Narrative for the Faculty Senate on Proposed Program Discontinuance.” This document detailed the administration’s rationale for proposing elimination of:

1. The Masters, Ph.D. and Aud.D degrees in the Department of Audiology and Speech Pathology
2. The Ph.D. in Industrial and Organizational Psychology in the College of Business Administration, and
3. The Minor Concentration in Dance in the College of Education, Health and Human Sciences.

The Senate has a prescribed role in academic program terminations, as part of the faculty's role in budget making. This role is described in Section 1.8 of the *UTK Faculty Handbook* (the “*Handbook*”).

The Faculty Senate, through its Undergraduate Council, Graduate Council, and Educational Policy Committee, gives approval for establishing new programs and for terminating existing ones. Administrative judgments about the costs of these programs inform this deliberation and in turn are affected by the judgments of the faculty as to the pedagogical and intellectual soundness of such proposals. Deans, department heads, and the chancellor or vice president consult with appropriate faculty groups at their respective levels concerning the general fiscal implications of decisions about the curriculum, enrollment, class-size, and admission policies.

As you can see, your role in this process—and that of the Faculty Senate as a whole—focuses on an assessment of the “pedagogical and intellectual soundness” of the existing proposals to terminate programs. The question then becomes how you should make assessments in that regard.

Although the *Handbook* does not provide for mandatory or permissive criteria for use in this required approval and consultation process, the Chancellor’s Review and Redirection Task Force (“RRTF”) produced a draft “Indicators of Quality and Centrality in Instruction, Research and Service” in November 2003 (<http://web.utk.edu/~senate/RRTFCommStandards.html>). While not adopted as formal University or campus policies, these draft indicators provide guidance to the Faculty Senate in exercising its role under Section 1.8 of the *Handbook*. **As you will note, the RRTF indicators include criteria that assess the quality, centrality, and importance of academic programs from a department, college, campus, and university perspective.** For your convenience, the RRTF’s draft list of indicators is here set forth in full, as developed by the three RRTF subcommittees:

Subcommittee on Quality, Centrality, and Importance of Instruction

Members: John Zomchick (chair), Megan Frederick, Carol Harden, Patrick Schuneman

1. Quality of Instruction
 - a. as indicated by student body
 - i. undergraduate students
 1. number of majors
 2. describe interaction with University Honors, if any (currently)
 3. data on undergraduate research
 4. data on outcome assessments
 5. tracking of alumni after graduation
 - ii. graduate students
 1. number of applicants, number admitted, and number enrolled
 2. GPA and GRE scores of admitted students
 3. number of students funded and duties of funded students
 4. graduation rate
 5. graduate student research presentations at professional meetings, publications, awards, etc.
 - b. other indicators
 - i. SAIS
 - ii. teaching awards won by faculty
 - iii. other faculty recognition relating to instruction, including but not limited to grants to improve teaching, design new courses, integrate technology into courses
 - iv. certification rate of graduates (if applicable)
2. Centrality of Instruction
 - a. relation of program to university's general education statement
 - i. name, number and average enrollments of courses
 - ii. relation of general ed courses to other disciplines
 - iii. relation of graduate courses to other departments (cross-listings, number of students from other departments enrolled, etc.)
 - b. are the program major(s) widely considered "core disciplines"?
 - c. contribution of graduate students to university mission
 - d. what would be lost to the university if the courses in this program were no longer taught?
3. Importance of Instruction
 - a. contributions to the university's local, regional, and national reputations
 - b. knowledge or skills that students cannot get elsewhere in the university
 - c. harm to the university's mission were this program to be discontinued

Subcommittee on Assessment of Quality, Centrality and Importance of Research

Members: Samir El-Ghazaly(chair), Carol Tenopir, Clif Woods, Billie Collier

1. Funding, External and Internal
2. Publications and Creative Accomplishments:
 - a. Peer-reviewed activities
 - i. Journals, conferences, and workshops

- ii. Performances and exhibitions
- b. Invited Presentations
- c. Citations
- d. Student participation
- 3. Graduate Student Advising, Support, and Degrees Awarded
- 4. Awards and Other Forms of Peer Recognition
- 5. Professional Partnerships and Collaborations with
 - a. Other programs on campus
 - b. Local organizations
 - c. City, state, and federal agencies
 - d. Industry
- 6. Additional Discipline-Specific Information

Sub-Committee on Quality, Centrality and Importance of Service and the Role in meeting Societal Needs

Committee Members: Beauvais Lyons (chair), Karen Sowers, Tom Galligan

1. Service Record Outlined according to the UT Academic Program Review Self Study Document (Appendix A):
 - a. Centrality of the program to university (service) mission (p.10)
 - i. Nature and Quality of service to the university, discipline, region and nation
 - ii. Interrelationship of public service with research and other aspects of the program
 - b. Quality of Outreach and (Community) Service (p.11)
2. Accreditation Standards for National Associations or Professional Organizations in the Discipline and the extent to which the program fulfills these.
3. Service Record as Measured by Public Sector or non-Profit Clients commenting on the contributions of the program.
4. Service Record as evidenced by Faculty Vitas
5. Additional Data on Service to the nation, state, region and university.

We ask that your review of the termination proposal for each program address each applicable RRTF indicator, insofar as this is possible, stating whether it supports program termination, supports program retention, or is inconclusive based on the information made available, and setting forth reasons for that conclusion. You should cite support for your analysis and conclusions from the RRTF indicators and the other materials afforded to you. It is our assumption that the administration will supply, insofar as this is feasible, the data needed for your work.

We also ask that your review take into account relevant guidance from the American Association of University Professors (the “AAUP”). Information gathered and analyzed by the AAUP indicates that it is wise for us to consider these indicators in a broad educational context. Reproduced below is a portion of the AAUP’s report on “Financial Exigency, Academic Governance, and Related Matters (2004),” prepared by a joint subcommittee of the AAUP’s Committee on Academic Freedom and Tenure and the AAUP’s Committee on College and University Governance

(<http://www.aaup.org/AAUP/comm/rep/finexg.htm>). This report illustrates some key pitfalls and considerations in program modifications and terminations. (Footnote references have been omitted.) **We ask that you consider and, as applicable, cite to this AAUP guidance—as well as the RRTF indicators—in making your recommendations as to each proposed program termination.**

Please note as you review the relevant AAUP guidance that the report from which the below excerpt is taken focuses on program adjustments based on financial exigency; however, its overall contents (and particularly those set forth below) are significantly broader. Regardless, **it is important to remember in conducting your review and using this guidance that the current program terminations suggested for UTK are *not* being proposed on the basis of financial exigency** (in order to, among other things, avoid dismissal of tenured faculty).

5. Reorganization

While a college or university's financial problems can precipitate the termination of faculty appointments, terminations are sometimes carried out with a view to reorganization as well as to economy. Reorganization, whether the result is to reduce, discontinue, or merge academic programs or departments, is commonplace in higher education, and, indeed, can be a sign that an institution is striving to improve itself. An institution's financial hard times may be a genuine reason for reorganization. It may also be an excuse for it.

At times, reorganization is championed because change is seen as the desirable characteristic of institutional health. Drastic shifts in institutional structure have been justified on grounds that students, potential benefactors, and the public need to be shown that those in authority are in command and are taking fresh steps to infuse the institution with vitality. . . . Such reorganizations typically rely on business managerial techniques to reduce or close programs and departments, with scant respect for principles of tenure, academic due process, and academic governance. . . .

An obvious question arises: why, from the AAUP's perspective, is reorganizational pruning a permissible response to a demonstrably bona fide financial exigency, but not to the type of program discontinuance permitted under Regulation 4(d) of the RIR? The answer is succinctly given in the AAUP's report on Goucher College:

Requiring the abolition of an entire program or department helps ensure that the discontinuance is not an impermissible substitute for a declaration of financial exigency, but is indeed based essentially upon educational considerations. This requirement also guards against the threat to academic freedom that arises when an institution's administration is allowed to pick and choose within programs and departments whose appointments it decides to terminate. Discontinuing an entire program or department provides good evidence that the decision was not a way for the administration to terminate the appointment of an unwanted tenured

professor without affording the protections of due process inherent in a proceeding on dismissal for cause.

Your recommendations based on the foregoing should enable members of the UTK Faculty Senate to evaluate the proposed UTK program modifications and terminations in fulfillment of the faculty's role under Section 1.8 of the *Handbook* until more formal guidance is available. Your role in this process is essential; we appreciate your significant contribution and look forward to your recommendation.

In order for the results of your evaluation to be adopted by the Senate and made available to the Board of Trustees at their October meeting, it will be necessary for the evaluations to be completed and delivered to the Senate President not later than October 13, 2008.

**The University of Tennessee, Knoxville Faculty Senate Resolution on
Differential Tuition for The University of Tennessee, Knoxville**

WHEREAS, in accordance with the UT-Knoxville Faculty Handbook, “the faculty role in campus-wide governance is through the senate;” and

WHEREAS, the Faculty Handbook conveys to its constituency the responsibility “to consider, advise, and recommend to the administration policies about a wide range of issues affecting the general welfare of the faculty;” and

WHEREAS, UT Knoxville is both the flagship campus of The University of Tennessee and its only Research University institution as designated by the Carnegie Foundation; and

WHEREAS, the costs associated with the provision of education and the conduct of research are necessarily higher at research universities; and

WHEREAS, differential tuition rates for research universities is a widely accepted practice in multiple states;

THEREFORE BE IT RESOLVED THAT *the Faculty Senate respectfully requests that President Petersen and Interim Chancellor Simek present The University of Tennessee Board of Trustees with a proposal for a differential rate of tuition for The University of Tennessee Knoxville at the Trustees October 2008 meeting, and*

BE IT FURTHER RESOLVED THAT *this Resolution become part of the minutes of the Faculty Senate meeting held on September 8, 2008.*

Note: The University of Tennessee, Knoxville is classified by the Carnegie Foundation as RU/VH: research university with very high research activity. This is the highest research designation for a public university in the state of Tennessee. By comparison The University of Memphis is designated as RU/H: a research university with high research activity and The University of Tennessee, Chattanooga is designated as Master’s L: Masters Colleges and Universities, larger programs.

Quorum - the minimum number of voting members required to be present in order to transact business that changes the status quo. (Any vote taken in the absence of a quorum may subsequently be declared invalid.)

The following table lists four options for defining a quorum. The current By-laws of the Senate use option A.

	Option	Comments
A	Majority of the voting members.	The quorum may not hold as members leave.
B	Some fraction, smaller than one-half, of the voting members.	The smaller the fraction, the easier it is to establish a quorum. If the fraction is small and attendance is poor, a small group may make important decisions.
C	Majority of the voting members present when the meeting is called to order.	Losing a quorum is highly unlikely. If attendance is poor, a small group may make important decisions.
D	Voting members present at any time.	If attendance is poor, a small group may make important decisions.