

# **UTK Faculty Senate Executive Council**

Eighth Floor Board Room, Andy Holt Tower

November 2, 2009

## **AGENDA**

### **I. Call to Order**

Introductions

### **II. Review of Minutes**

Minutes of the Executive Committee meeting of October 5, 2009 (Attachment 1)

### **III. Reports**

President's Report (T. Boulet) (Attachment 2)

Provost's Report (S. Martin)

VCFA Report (C. Cimino)

### **IV. Old Business**

### **V. New Business**

Status of contingent faculty (Attachment 3)

## **Attachments**

- 1 Minutes of Executive Committee meeting of October 5, 2009
- 2 President's report
- 3 Report on contingent faculty

Faculty Senate Executive Council  
MINUTES  
October 5, 2009

Present: Marianne Breinig, Doug Birdwell, Toby Boulet, Donald Bruce, Chris Cimino, Jimmy Cheek, Becky Fields, Rob Heller, Becky Jacobs, Suzanne Kurth, Beauvais Lyons, Susan Martin, John Nolt, Stefanie Ohnesorg, Ken Stephenson, Steve Thomas, and Dixie Thompson

Guest: Scott Simmons (Graduate Assistant)

## **I. CALL TO ORDER**

T. Boulet called the meeting to order at 3:33 p.m.

## **II. REVIEW OF MINUTES**

B. Lyons requested that the words "with Board policy" be added to the material on the *Faculty Handbook* after "ensures not in conflict." J. Nolt said that on page 4, second full paragraph, the second sentence should indicate the wording came from the TUFs "discussion." The corrected minutes were moved by D. Bruce, seconded by D. Birdwell, and approved.

## **III. REPORTS**

### President's Report (T. Boulet)

T. Boulet added to the report he distributed that not only did he attend the Southeastern Conference Associated Faculty Leaders (SEC AFL) annual meeting, but also the assembly approved a set of bylaws, so UTK is now a member of two more organizations.

### Provost's Report (S. Martin)

S. Martin noted that she had previously reported on the Deans, Directors and Department Heads (DDD) Retreat. At the end of the week the Board of Trustees (BOT) would be meeting. The BOT will discuss closing the Memphis branch of the UTK Master's in Social Work Program. Reports will be given to the BOT's Student Success Committee on various metrics. UTK is working with consultants on strategic planning, specifically on what is good and will help UTK establish its own metrics.

The Academic Efficiency and Effectiveness Committee that Martin chairs is looking at possible problems, e.g., course scheduling and bottleneck courses. The Provost's Student Advisory Committee met. The students expressed the desire to have the library stacks open 24/7 and to have quiet study areas. The students also requested more substance in the summer orientation program.

Lyons asked how the reframing of the strategic plan fit with the SACS review and common goals. Martin said it fit with the SACS mid-cycle review as updating of all compliance material is necessary for the review visit. M. Albrecht is working on updating the materials and refocusing, e.g., developing and implementing an assessment plan. There is an executive committee and a steering committee. The goal is integration of materials into the curriculum. Ready for the World is related to the Quality Enhancement Plan. The original Strategic Plan was oriented to the system "scorecard" that had global awareness as one element. D. Birdwell commented on the importance of having library resources available at a research institution. Martin said library access had been limited due to a security issue that had since been addressed. Birdwell said

the Ready for the World Program appeared to address cultural issues, while huge issues such as sustainability perhaps were not addressed by the program. He noted that the faculty of Engineering was not involved.

#### Chancellor's Report (J. Cheek)

Chancellor Cheek noted that differential tuition had been proposed by several colleges. He had visited with members of the Board of Trustees (BOT) about the topic. He had also met with students in one of the colleges to talk about the need for more money, if a long-term solution to current problems is to be developed. Some colleges are faced with unattractive alternatives, such as large numbers of students taught by few professors. He indicated he would discuss the possibility of differential tuition with a BOT Committee this fall and the full Board next spring.

An additional budget cut in the 8% range in 2011 is anticipated. Cheek said he had indicated that it would have to be covered by a tuition increase. He said he was working to get a reduction in the size of the cut. He said among his priorities is obtaining raises for faculty and staff and money for a few new positions to address bottleneck courses. This year was the third without raises, leaving our faculty salaries low in the Southeastern Conference. When tuition increases are discussed a major question from the BOT is what happens to students who cannot afford to pay the increase. Schemes are being considered that would assist such students. He noted that the campus Human Relations Director position had been eliminated. The Chancellor said his budget had been reduced twice as much as those of the colleges. L. Hendricks would be assuming a larger human relations role on campus. He had encouraged units to look at course fees to see if they were adequate.

Cheek said the 1st Annual All-Campus Faculty Meeting was a good event. It would probably be held in the McClung Museum in the future. The System reorganization was going well. While looking at locations to reduce costs, he is working to make both the system and the campus what they should be. On October 6 President Simek will officially visit the campus providing an opportunity to express concerns and talk about good things. Lyons asked whether consideration was being given to shifting full time enrollment from 12 to 15 hours looking at the "revenue side." Cheek said that change had been under consideration since he arrived on campus. He thought summer school should be incentivized to increase the four year graduation rates. Students should be encouraged to attend 4 years plus summer rather 5 years. Such a change probably requires change in the Hope scholarship program. Ultimately students would save money if they graduated in four years, but it was not the right time yet to change full time status to 15 hours. Lyons asked about other possibilities. Cheek said possibilities included enrollment reduction and differential tuition. Breinig asked what differential tuition meant. Cheek explained that some students, e.g., upper division students in a college would pay an addition per hour fee. The majority of the fee would go to the college, but a small percentage would go to the campus for what it provides. Birdwell said another suggestion for cost saving involved Human Relations classification guidelines. He said he had to keep writing letters seeking exceptions to the salary limits. Birdwell said there had been problems with raises written into contracts. Cheek said he was committed to addressing such problems and a meeting was scheduled for the next week. Boulet said some SEC schools charge students additional fees for extra hours. Cheek said he was deciding which battles to fight first.

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

There was no old business.

## **V. NEW BUSINESS AND ANNOUNCEMENTS**

### Faculty Senate Calendar 2010-2011 (J. Heminway)

Lyons said after examination of the religious holiday conflicts it looked like movement of the November dates would permit avoidance of religious holidays. He proposed moving the dates forward (Executive Council on November 8 and the full Senate on November 22). Birdwell agreed. As there was no dissent, it was agreed that the proposed calendar with those changes would be taken to the Senate for a vote.

### TUFS' Announcement (J. Nolt)

The materials J. Nolt sent to Governor Bredesen were attached to the meeting agenda (a letter explaining the documents, the position paper, and dissenting statements). He noted the Governor's current position.

### Budget and Planning Committee (D. Bruce)

D. Bruce reported the Budget and Planning Committee met briefly. C. Plaut is very interested in higher education reorganization. That committee would perhaps like to conduct an opinion survey in conjunction with another committee. Boulet distributed a statement from the Library and Information Technology Committee (Library and IT) addressing the proposed reorganization. Any committees with responses were encouraged to distribute them. Birdwell said survey results strongly depend on the questions being asked, so they need to be carefully worded. Lyons suggested to D. Bruce that C. White (member of the University System Relations Committee) had a lot of experience with surveys. He said one of the reasons for such a survey would be to help faculty know the issues. He said, for example, how many people know there are two systems. Nolt agreed with the concerns about the utility of such a survey. He preferred the approach of the Library and IT Committee, that is, the provision of information. Bruce said the desire was to not be reactive, but rather proactive. Senate votes simply provide opinions. Boulet said he would meet with Nolt to get the objections fleshed. He thought a survey could be useful. Nolt said the best source would be the University System Relations Committee. Birdwell argued for the need to clarify objections and goals.

### BANNER Implementation

Boulet said it was time for the Senate to know about BANNER. L. Painter talked at the Deans, Directors and Department Heads Retreat. She agreed to give a 10-minute presentation at the October Senate meeting.

### ESPN Funds Allocation

Lyons had asked about the process involved in allocating the funds from the ESPN contact that Athletics had donated. Boulet said he thought the Provost might address the question. Lyons said he knew there was a short turn around time, but he particularly wanted to know how the decision about graduate student funding was made. The Student Success Center received \$100,000, as did the Center for Teaching and Learning. The Chancellor wanted to augment graduate student stipends and talked with Deans about top offs versus money for new students. For the next year interest is focused on using the money to attract new students. Lyons suggested that the money for graduate student travel could be increased. S. Martin said there was \$40,000 for graduate student travel. K. Stephenson asked what "top off" meant. It was depicted as "added on" money. Martin said she thought the top off money would be for four years for doctoral students. Stephenson said the Mathematics Department ends up

forgoing some of its best applicants because they do not know which students will be returning. If a slush fund could be created, it would be possible to balance out over commitments made in one year in later years. It was suggested that R. Heller and A. Wentzel, Co- Chairs of the Senate Athletics Committee might play a facilitative role with suggestions. Birdwell questioned the one year commitment. He thought the policy was that stipends could go up, but not down. Martin said they were just in the process of collecting data. Birdwell said there was a huge difference in Engineering between the stipends of research and teaching assistants.

#### Research Council (K. Stephenson)

Stephenson said the Council was trying to figure out the effects of the budget cuts on research. The Council was considering a survey. B. Fenwick told him the campus had joined a consortium that would do surveys. It may be easier to sell instruction externally, but internally decisions are made on the basis of research. Boulet clarified that the services were paid for. Martin said the Provost's Office was drawing on the service. She also noted that there was something on the BOT agenda about the reorganization. C. Cimino encouraged interested people to check the website.

#### University Systems Relations (B. Lyons)

Lyons said the committee had a meeting with D. Millhorn and others about research. There does not appear to be a clear business plan. At the next committee meeting they will talk with H. Dye and A. Haynes. He suggested inviting D. Millhorn to an Executive Council meeting. Questions were raised about whether the public piece would come from in the future. Birdwell said one concern was the faculty would be on campus and research would be over there. Nolt said it was "doable" at Ohio State University. Birdwell said he would prefer a written report to a conversation.

#### Announcements

Boulet said the brown bag lunch he and S. Martin had was sparsely attended.

He said at the SEC AFL meeting he learned that academic freedom emerged in 1952 and died in the 1990s. If we are to have academic freedom, we need to have a written definition. Courts are apparently pushing for institutions to have definitions. He said he would take the issue up with L. Howes, AAUP Chapter President.

Adjournment was moved, second and approved. Meeting adjourned at 4:50 p.m.

## **UTK Faculty Senate President's Report**

November 2, 2009

This semester's second brown bag lunch with the Provost and the Faculty Senate President was held on October 20 in the UC. Attendance was again sparse.

Scott Simmons has submitted a report on contingent faculty representation in faculty senates at various universities. The report is included as an attachment to the agenda of the Executive Council's meeting today and will be discussed under "New Business."

Reports from the Provost and the VCFA today will include comments on planning for the end of the federal stimulus funds.

Chancellor Cheek will not be able to attend the meeting of the Executive Council today, nor the Senate meeting on November 16. However, he does plan to attend the meeting of the executive Council on January 11, at which time he expects to report on the ongoing reorganization of Human Resources for both the UT System and UTK.

At the latest meeting of the SECAFL, a presentation was given on the support for academic freedom in the courts. The primary conclusion of the presentation was that academic freedom is no longer recognized by the courts. If so, it would be wise for universities to ensure that protection of academic freedom is enshrined in campus documents (e. g., Faculty Handbook and Manual for Faculty Evaluation). The national AAUP has issued a document assessing the status of campus documents as enforceable contracts. Scott Simmons is working on a report on the status of academic freedom in the courts and in our campus documents.

At the upcoming meeting of the Athletics Board on November 7, President Simek expects to announce the formation of a committee to consider the question of the optimum reporting path for Athletics. There will be significant faculty representation on this committee.

TO: Dr. Toby Boulet  
FROM: Scott E. Simmons  
RE: Senate Representation: Non Full-Time Faculty  
DATE: October 12, 2009

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This memorandum outlines the various ways faculty senates at universities within the Southern Universities Group address representation by non full-time faculty members. With that in mind, the relevant language from each of the 31 faculty senate bylaws and /or constitutions has been included. Several faculty senates have neglected to address such a situation; these universities have been removed from this analysis.

Tennessee's Faculty Senate bylaws, meanwhile, provide the following:

“Elected members of the Faculty Senate shall be chosen from those members of the Faculty meeting the following criteria at the time of the election: (1) the holding of full-time or continuing part-time appointment with the rank, or equivalent rank, of assistant professor or higher; and (2) the performance of academic duties totaling at least half-time teaching, research, service, or departmental administration.”

Each of the remaining senate bylaw and/or constitution provisions are outlined in turn below.

### **Auburn University**

“To be eligible for selection as a senator from a unit, a person must be a member of the **University Faculty** who has served on the **University Faculty** for at least three academic semesters prior to election. The **University Faculty** shall consist of all positions of professorial status and other positions that have a primary academic function associated with Auburn University, main campus.”

The “other position” within the **University Faculty** definition appears to allow representation by lecturers or instructors, so long as they have been employed for three semesters prior to election.

### **Clemson University**

“Any member of the Faculty may be eligible for membership on the Faculty Senate, except department chairs, school directors, deans, the provost, vice provosts, vice presidents, the president, and others with primarily administrative duties.”

### **Florida State University**

“Only full-time Instructors, Assistant Professors, Associate Professors, and Professors shall be eligible for representation in and election to the Faculty Senate.”

### **Mississippi State University**

“Senators of the Robert Holland Faculty Senate, referred to elsewhere in this document as the Faculty Senate, shall be elected from the members of the **General Faculty** who have had at least one year of service.”

**General Faculty** includes the following ranks: Instructor, Assistant Professor, Associate Professor, Professor, Assistant Research Professor, Associate Research Professor, Research Professor, Clinical Instructor, Assistant Clinical Professor, Associate Clinical Professor, and Clinical Professor.

### **North Carolina State University**

“Eligibility for membership in the Faculty Senate is the same as for voting membership in the **General Faculty** except that those holding titles above the head of department shall not be eligible.”

“Persons eligible for voting membership in the **General Faculty** of North Carolina State University are those full-time regular faculty (i.e., tenured and tenure track; full time special faculty, except field faculty; faculty in the Phased Retirement Program; and Emeritus faculty).”

### **Texas A&M University**

“For purposes of the Faculty Senate, individuals eligible for election shall be anyone employed by Texas A&M University whose appointment was approved by the Provost of Texas A&M University, and who (a) is tenured or on the tenure-track, (b) holds the rank of Professor, Associate Professor, or Assistant Professor, or (c) holds the title of Distinguished Lecturer, Senior Lecturer, Lecturer, or Librarian I-IV and teaches on the College Station campus.”

### **Texas Tech University**

“Qualification for election to the Faculty Senate shall be membership in the **voting faculty**, except that administrators serving one-half time or more in administrative position shall not be eligible. Department chairpersons may be elected to the Faculty Senate if they are otherwise qualified.”

“The voting faculty consists of all persons under full-time contract who have completed a residence of one year at this University and who are tenured or, in the case of librarians and archivists are on continuing appointment or who hold appointments that make them eligible for tenure or continuing appointment.”

### **University of Alabama**

“Only regular faculty members as defined in Article III are eligible for election to the Senate.”

“Each division of the University, including colleges, schools, and the University Libraries, is represented in the Faculty Senate by one senator for each twenty persons, or fraction thereof, serving on the date of the election under a regular appointment as an instructor, assistant professor, associate professor, or professor engaged in teaching or research at least half of a normal load during the regular year, or a librarian having corresponding rank and professional engagement.” (*Article III*)

### **University of Alabama at Birmingham**

“A **faculty member**, hereinafter referred to as faculty, is defined in the UAB Faculty Handbook (Section 2.3) as one who holds a primary academic appointment (on nine or twelve month contract) in one of the constituent units of the university and is eligible to participate in the Alabama State Teacher’s Retirement Program through



the University of Alabama at Birmingham. Only faculty may vote and hold offices as defined in this constitution.”

The Faculty Handbook section mentioned above includes the following ranks: (i) Instructor; (ii) Assistant Professor; (iii) Associate Professor; (iv) Professor; and (v) Distinguished Professor.

### **University of Delaware**

“For the purpose of determining representation on the University of Delaware Faculty Senate (hereinafter called the Senate), the relevant members shall be the full-time members of the Unit whose primary or secondary appointments are listed as faculty or professionals who have been granted active **voting** status by the Unit.”

“The voting membership of the University Faculty shall consist of the following: Professors, Associate Professors, Assistant Professors, full-time Instructors and Lecturers. All part-time instructors shall be non-voting members of the University Faculty.”

### **University of Florida**

“Only faculty as defined in Article III, Section 1, of this Constitution are eligible to be counted in determining the proportional representation of Academic Units within the Faculty Senate, to be elected to the Faculty Senate, and to vote for members of the Faculty Senate.”

“The faculty of the University of Florida are those persons employed by the University of Florida during the regular academic year whose primary assignment is to carry out the academic mission of the University, namely, teaching, research and academic service. Titles of these persons shall be set forth in the Senate Bylaws.” *(Article III, Section 1)*

“Persons employed by the University of Florida during the regular academic year are members of the faculty if they hold one of the following academic titles: (i) Graduate Research Professor; (ii) Distinguished Service Professor; (iii) Distinguished Professor; (iv) Professor, Associate Professor, or Assistant Professor; (v) Master Lecturer, Senior Lecturer, or Lecturer; (vi) any of the above titles modified only by clinical, research, or extension.” *(Senate Bylaws)*

### **University of Georgia**

“Any member of the faculty is eligible for election to the University Council. Where specified, membership on certain committees is limited to faculty with academic rank (i.e. Professor, Assistant Professor, Associate Professor and Instructor).”

### **University of Houston**

“University of Houston faculty members who meet the eligibility criteria described in the bylaws may serve as members of the Faculty Senate.”

“An eligible faculty member is a full-time, tenured or tenure-track faculty member or a full-time Library faculty member of the University of Houston.” *(Bylaws)*

### **University of Kentucky**

“All of the following shall be considered “faculty” for purposes of this Rule: (i) full-time tenure/tenure track faculty (Regular, Special, Extension, Librarian Title Series) with the rank of assistant professor or higher; (ii) full-time non-tenure track faculty (Clinical, Research Title Series) with the rank of assistant professor or higher; and (iii) full-time lecturers and instructors.”

### **University of Mississippi**

“The Senate of the Faculty membership shall be limited to faculty who qualify as Eligible Faculty. Eligible Faculty as used in this Constitution shall mean budget-listed, full-time, tenured or tenure-track employees of the University of Mississippi (Oxford campus) who hold the rank of Professor, Associate Professor, or Assistant Professor.”

### **University of North Carolina**

“All members of the **voting faculty** are eligible for election to the Council.”

“Except as otherwise provided in this Code, the voting faculty comprises (i) all members of the **General Faculty** having tenured or probationary-term appointments; and (ii) fixed-term faculty whose positions satisfy the following criteria:

1. The position is for not less than 75% of an equivalent full-time position and is not a visiting appointment; and
2. The duties of the position include teaching, research, or both; and
3. The actual or anticipated length of service in the position is at least three years. This criterion is satisfied if: (i) the current term of appointment is for three years or more; or (ii) the appointment is a renewal appointment to the same position and the combined length of the current term and the immediately preceding terms is three years or more.”

“The **General Faculty** consists of all persons holding faculty appointments to the ranks of professor, associate professor, assistant professor, instructor, lecturer, or any of the formally authorized lecturer-equivalent ranks.”

### **University of Oklahoma**

“The Regular Faculty of the University is composed of all faculty members with tenure track, tenured, and renewable term appointments at the rank of assistant professor, associate professor, and professor. The Regular Faculty does not include faculty members with temporary appointments.”

### **University of Texas**

“Voting members of the General Faculty shall consist of the following:

- a. All professors, associate professors, and assistant professors.
- b. All instructors and lecturers who have had a total of four or more long session semesters of service at these ranks at The University of Texas at Austin.

“A faculty member shall have voting status only on the basis of half-time employment or more at the University.”

### **University of Virginia**

“Those persons shall be eligible for election to the Faculty Senate who have been elected by the Rector and Board of Visitors to a full-time position as either academic faculty or academic general faculty in the rank of Acting Assistant Professor, Assistant Professor, Associate Professor, or Professor.”

### **Virginia Tech**

“A Faculty member is eligible for election to the Faculty Senate and to vote in the election of Faculty Senators if the Faculty member holds:

- The rank of Professor, Associate Professor, Assistant Professor, or Instructor.
- A full-time and CONTINUING appointment to the University.”