

**Minutes of the Faculty Affairs Committee
Meeting of April 14, 2008**

Present: Norma Cook, Joan Heminway, Chair; Julia Malia; Norman Magden; Steve Thomas.

The meeting, held in the Faculty Lounge at the College of Law, was called to order by J. Heminway at approximately 2:35 PM.

March 10, 2008 Minutes: The minutes of the Committee's March 10, 2008 meeting, distributed by Joan in advance of the meeting, were considered and approved (with the only amendment being a correction in the spelling of Gary Ubben's name).

Bylaws Posting Project: S. Thomas presented his final report on this project. Members of the Committee thanked Steve for his excellent work in getting accurate links posted for almost all campus units during the academic year.

Ombudsperson Update: Joan reported that, following Faculty Senate approval of the new Ombudsperson provision for inclusion in the *UTK Faculty Handbook* at its March meeting, she forwarded the approved provision on to the Interim Chancellor and the Vice President-Agriculture for action. She indicated that she expected no issue with respect to this or any subsequent stage in the University approval process. J. Malia reported that the first meeting of the Ombuds Search Committee had been held that morning.

Year-end Report: Joan asked to take up this matter out-of-order, and the Committee agreed. She then requested comments on the draft year-end report of the Committee's activities that she had circulated in advance of the meeting. Various members of the Committee offered additions, corrections, and other amendments. There was a consensus that the Faculty Affairs Committee has too many responsibilities and that oversight of UTK and Agricultural campus unit governance should be undertaken by another Faculty Senate or administration person or body. N. Magden observed that it is unusual that something called a "handbook" would be a controlling governance document over instruments called "bylaws." The Committee members present discussed at length issues relating to campus governance, including the names and roles of the various University and campus governance documents. Disparities and inequities in retirement policies and practices were discussed as additions to the draft report. Joan promised to circulate a revised draft before sending the report to D. Patterson, the President of the Faculty Senate.

Proposed Amendments to Cumulative Performance Review Procedures and Rights: Joan asked for discussion regarding her revised, proposed changes to provisions in the *UTK Faculty Handbook* and the *Manual for Faculty Evaluation* circulated in advance of the meeting. She apologized for the late distribution of these proposed changes. N. Cook expressed significant reservations about the revised draft, noting first that the language in the draft provision did not match the language in the related policy of the Board of Trustees of the University. Joan agreed to revise proposed language for inclusion in the

Manual for Faculty Evaluation to conform the word “indicates” to the “consensus rates” wording in the Board policy. The Committee members present engaged in an extended discussion of the change of permissive language in the Board of Trustees’ policy (“may”) to mandatory language in the revised draft language for the *Manual for Faculty Evaluation* (“shall”). No consensus was reached on this matter or on the related draft language for inclusion in the *UTK Faculty Handbook*. Norma reminded members of the Committee that the CPR process, as originally conceived, was not a path to termination of tenure. Joan noted that the current Board of Trustees’ policy on CPR changed the process to provide for termination of tenure, and that the only question in this regard involved in the Committee’s drafting was whether faculty members serving on the CPR Committee merely may be fact finders or whether they also must make a recommendation as to the resulting action to be taken by the Chancellor. After a lengthy discussion, the Committee concluded that the matter should be deferred for consideration during the 2008-09 academic year.

Joan thanked members of the Committee for their service during the 2007-08 academic year, wished everyone a good summer, and adjourned the meeting at approximately 3:30 PM.

Respectfully submitted,

Joan Heminway