

Faculty Senate Executive Council  
MINUTES  
January 24, 2011

Present: Joan Heminway, Vince Anfara, Toby Boulet, JoAnne Deeken, Stefanie Ohnesorg, Doug Birdwell, Jimmy Cheek (via phone connection for part of the meeting), Chris Cimino, John Koontz, Beauvais Lyons, Susan Martin, Carole Myers, Conrad Plaut, Lloyd Rinehart, Anne Smith, Ken Stephenson, Steve Thomas, India Lane

Guests: Liz Tramm (Faculty Senate Graduate Assistant)

### **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 November 8, 2010, Executive Council meeting was made by B. Lyons and seconded by D. Birdwell. The minutes were approved as submitted.

### **III. REPORTS**

President's Report (J. Heminway)

#### *A. CIRE Approval*

Heminway announced that the Energy Science and Engineering Ph.D. Program had been approved by the THEC and thanked the Executive Council for helping to improve the proposal. The revised proposal for the Ph.D. program is available at [http://web.utk.edu/~senate/docs/2010-11/2\\_-\\_THEC\\_ESE\\_PhD\\_proposal\\_V41.pdf](http://web.utk.edu/~senate/docs/2010-11/2_-_THEC_ESE_PhD_proposal_V41.pdf).

#### *B. UT Faculty Council ("UTFC")*

I. Lane reported generally on the UT Faculty Council meetings of 10/21/10, 11/29/10 and 1/20/11. The UTFC discussed faculty compensation policies, including those involving raises associated with promotions in rank. The campuses are basically consistent with respect to promotion raises, except for The University of Tennessee Health Sciences Center ("UTHSC"). Under the leadership of Linda Hendricks (Vice President and Chief Human Resources Officer for the University), guidelines (NOT policies) are under development for special salary considerations for faculty and staff at all campuses. Discussions are continuing on how to define and handle situations in which special salary offers can be made. Among the issues: whether a written offer letter is required before a counteroffer can be discussed.

The UTFC has had some limited discussions about moving some UTHSC classes to the Knoxville campus. In response to a question, Lane explained that a task force report was created sometime this fall. UTHSC is very interested in collaborating with UTK.

University policies for benefits for domestic partners also have been discussed at UTFC meetings. Discussions will continue. Heminway mentioned that domestic partner benefits are a priority for the LGBT Commission at UTK.

*C. Coalition on Intercollegiate Athletics ("COIA") Annual Meeting*

Heminway reported on the meeting held in January, referencing brief notes that she circulated to Executive Council members after her attendance at the annual meeting. She noted that there was discussion of NCAA compliance issues, financing athletics, and academic success. Heminway noted that she would be meeting with Dan Murphy (our Faculty Athletics Representative) on Monday, January 31, and the Faculty Senate Athletics Committee at its next meeting.

J. Koontz (Head Senate Athletics Committee) said that an issue under discussion by the NCAA is the appropriate use of student athlete likenesses by for-profit enterprises and asked Heminway whether that had been discussed at the COIA meeting. Heminway said that it had not, but noted that some related issues had arisen with respect to the Big 10 Network.

*D. NRC Rankings*

K. Stephenson and Carolyn Hodges are planning a forum on the NRC rankings data on March 9 at the Lindsay Young Auditorium in Hodges Library. The Research Council and the Graduate School will co-sponsor this forum, which may be the first of several discussions.

*E. Warren Neal*

Warren Neal has offered to give copies of his recent book on higher education to Faculty Senate members. Contact Heminway if you would like a copy. L. Rinehart reported he read the book over the semester break and found it interesting.

*F. Elections 2011/2012 Senate*

V. Anfara reported that the Nominations and Appointments Committee met in November. Caucus chairs were charged to solicit two volunteers for each Senate vacancy in their caucus. Many colleges have reported great difficulty in soliciting enough faculty members to meet this requirement. Anfara indicated that he will contact Deans to ask them to encourage Senate service. Faculty Senate administrative assistant Sharonne Winston recently contacted Anfara confirming the number of vacancies in each college. He is meeting with her to go over the numbers this week.

Nominee names and statements are due to Anfara on February 13. Finding appropriate nominees for President-Elect of Faculty Senate also is proving challenging. One person has agreed to run, but another is needed. Faculty are feeling overworked and stretched to their limits. Heminway asked Executive Council members to submit names of people on their committees who are promising candidates for Senate leadership positions. Anfara has contacted Bob Chance and Cary Springer who report that everything is ready for on-line elections once the information on nominees is final.

*G. Miscellaneous topics*

Joan Cronan will address the February meeting of the Senate on compliance, academic, and budget/finance issues. Heminway indicated that Cronan's report is unusually important given that the Athletics Departments now report to the campus. They will be discussed at a future Executive Council meeting. Heminway is welcoming more "faculty stories" to share at Senate meetings and beyond.

## Chancellor's Report (J. Cheek)

J. Cheek joined the meeting via a speaker phone connection.

### *A. HOPE Scholarships*

A task force is looking at allocation of the funding both now and for the future. Provost Martin attended the first meeting. One of the issues being considered is the flexibility to use the HOPE scholarship in the summer (which is not now permitted). Allowing use over the summer could help both retention and graduation rates. Currently, the scholarship covers 10 regular semesters or about \$20,000 of funding per student in the aggregate. Chancellor Cheek would like to see up to two semesters of HOPE scholarship funding be usable for summer sessions. He has had some discussion about this with legislators but is unsure how much support there presently is for changing the existing plan. He is stressing the need for UTK to keep moving forward in both the quality and retention of our students, which contribute to improved graduation rates.

Birdwell and Chancellor Cheek had some back-and-forth discussion about the inability of Engineering co-op students to use the HOPE scholarship for their tuition when attending school in the summer. These students have to take summer courses or get irretrievably behind in tightly scripted programs like Engineering. The ability to use HOPE scholarship money over the summer would help ameliorate this issue.

### *B. Compensation for Faculty and Staff*

The Chancellor has spoken with the Board of Trustees, the Governor, the Lieutenant Governor, and the state legislature about compensation for faculty and staff. Getting raises for us is his top priority. The legislators asked him how raises for faculty and staff would be funded. The Chancellor replied that they would be funded through tuition increases. As of June 30, it will be four years since raises have been given. The Chancellor will continue to work hard to get this situation fixed.

### *C. Legislative Initiatives*

The Chancellor is pressing the new legislature to keep the changes to the higher education funding formula passed by the last legislature. He feels there is a good resolve to keep the existing formula in place. However, with every funding formula change, there are winners and losers. Under the new formula UTK fared well and likely will fare even better in the future. UTK produces more undergraduates than any other college or university (private or public) in Tennessee. Some other colleges and/or universities in the state enroll more undergraduate students, but those schools do not graduate as many. He believes the same holds true for graduate students.

He is aware that Senator Campfield is sponsoring legislation to allow faculty and staff to carry firearms on campus. He thinks that will be followed quickly with a proposal to allow students also to carry firearms on campus. UT does not support these initiatives and will actively work against their passage.

The Chancellor noted that he is working with members of the state legislature to ensure they are aware of the need for any proposed tuition increase, including for the purpose of funding increases in faculty and staff compensation. Wording is extremely important and is being carefully considered.

#### *D. UT System Relations Committee*

This Committee will meet in February to discuss UT's legislative agenda for the year. Lyons asked the Chancellor about the annual UT Day on the Hill in Nashville. In past years, students' impact on the legislature has been large. When legislators hear students asking for a tuition increase and explaining why, it is very effective. This effect was clearly demonstrated when former Student Government Association Senate President Jeff Wilcox strongly supported both increased tuition and differential tuition. Chancellor Cheek is currently speaking with Tommy Jervis and others in the Student Government Association on faculty and staff raises and the need for academic infrastructure. The state will most likely not have money for the next 3-5 years for buildings and infrastructure improvement. We need a new model for funding to cover the current and future needs.

At this point, the line with the Chancellor was lost.

Birdwell spoke on the extreme risk of reduced funding at the federal level. Research currently being funded is at risk of being cut off, causing massive interruptions and the loss of jobs by many researchers. Congress may have a tendency to protect a few "top tier" institutions from these cuts, but schools like UT that are growing quickly may face drastic cuts.

Stephenson rhetorically asked: "What will be the new word for "earmark"? Birdwell replied that there is some talk that earmarks might be allowed if the requesting organization is a college or university. However, Birdwell thinks that the national infrastructure for research is endangered.

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

##### *A. VOL Vision*

The final version of the VOL Vision strategic plan, together with implementation plans for each strategic objective of the plan, will soon be posted on the Provost's web site. Implementation task forces will develop the plans this semester.

1. Sally McMillan is concentrating on the undergraduate initiatives. She will discuss data and proposed initiatives at the next Senate meeting.
2. The faculty recruitment and retention task force, led by Sarah Gardial, will address plans for the recruitment and retention of quality faculty.
3. The task force focusing on graduate students also is concentrating on recruitment and retention.
4. Research Task Force also is working on its plan.
5. Chris Cimino is leading the task force on resources, which interacts with all four of the other four strategic objectives. This task force will begin work later. It will help prioritize between and among initiatives planned by the other task forces. It will work on reallocations, external fundraising including grants and contracts, and numerous other sources of funding.
6. There is also a group working on staff issues.

We should expect monthly updates on the progress of the task forces.

### *B. Program Discontinuances*

In the fall semester, the proposed discontinuances of the majors in Russian and Italian reached part I.C of the Procedural Framework for Discontinuance (<http://provost.utk.edu/discontinuance/>). The Provost wrote the department in early December asking it to submit a proposal that addresses a number of issues. The Provost noted that it is unlikely that UTK's majors in Italian or Russian will ever be anything other than low-producing by THEC standards. That is not a problem if retaining the majors is an academically sound decision. She also remarked that, when money is given to these programs, the number of students served also increases. The Provost has charged the Dean to work with the Departments on some broader questions regarding language offerings on campus. What array of languages should be taught? By whom (adjuncts, tenure-line faculty, etc.)? How does the balance of language instruction shift as global emphases change? Currently, there are no tenure-line faculty in Chinese. Yet, there is a high demand for Chinese language skills by both students and employers. Is the historical balance of languages at UTK appropriate? After the Department Head gathers information, it will be sent to the Dean for consideration. The status quo is not necessarily the answer. We think we are not meeting the demand for Spanish, but there is no documentation to back this up. What is the preferred model? The correct balance? How do we provide a sound educational experience? The reply from the Department of Modern Foreign Languages and Literatures is due to the Provost in February.

T. Boulet asked whether the question is "What is best for the Department?" or "What is best for the University?" Provost Martin responded "for the University". L. Rinehart asked if it was appropriate to have no tenure-line faculty in Chinese while we are trying to build a relationship with China. Lyons pointed out that 45% of the degrees offered at UTM are considered "low producing" by the THEC. Should the flagship university continue to teach everything? S. Martin: "Not necessarily." For example, she indicated that some Masters degrees might be better suited to other campuses. Birdwell is concerned about the data being used by the THEC. It was noted that Physics and Material Sciences are both low-producing undergraduate majors according to the THEC, but do produce larger numbers of graduate degrees.

### *C. Summer School*

Provost Martin indicated that summer school is a work in process. Changing the role of summer school is critical to student success in terms of both retention and graduation rates. It is also important for at-risk students. We have one program working with at-risk students in summer school, but we need to be able to serve more of these students. The Chancellor wants 1,000 more students on campus this summer. We currently have 6,000-7,000. The increase will include more rising sophomores and juniors. They need to complete courses to increase retention. In many majors, if summer school is not attended, students fall behind in their graduation plans and drop out. Currently, most summer school students are seniors finishing their final class(es), which might be a lower level course. Realignment of HOPE scholarship funding is key to having a viable summer school program. We have to track funding to our strategic plan. We need to keep our students and to keep them on track towards graduation. Provost Martin is working with C. Cimino on changing compensation for faculty teaching in the summer. Department Heads are being asked to tie funding requests to the campus's strategic initiatives. Current compensation is 1/27<sup>th</sup> of salary per student hour taught. Departments will receive an incentive if they break even. Control is in the hands of each department. For this summer, as changes are being clarified and tested, everything is revenue neutral.

C. Plaut commented that summer school is important for incoming freshmen who may need pre-requisites for their majors that have not been fulfilled through high school coursework. An example is students who need pre-Calculus.

Birdwell commented that the compensation for teaching in the summer is terrible. The salary structure is out of balance with normal faculty compensation. That's why many faculty members refuse to teach during summer sessions.

#### *D. Student Assessment of Instruction*

Some student assessment of instruction was done online this fall on a test basis. The response rate was lower than that for the in-class paper assessments of the past. Although a drop-off in response rate was expected, the response rate was unacceptably low. We want to encourage responses and stress the importance of this assessment to the students. There is an application ("app") for assessment available for mobile devices. A group is looking into implementation of this app and the development of best practices for online instructional assessment. Mobile device assessment will work in the same way that we offer classes on mobile devices. Some institutions won't release grades until a student completes assessment. Tenure-line professors and adjuncts can make note of missing teaching assessments in their tenure and promotion portfolios until we work through the issues on low numbers of students completing assessments. Peer evaluation should continue to be included in faculty evaluation processes and is a very good assessment mechanism. Anfara expressed great concern about untenured faculty and noted that he has to make rehiring decisions for adjuncts based on very little data. Birdwell noted that the data we do have is not statistically valid. He strongly advocates we create procedures that ensure data validity. We should either require random sampling with mandatory return or block access to grades until a student submits assessments. This is an important issue in which the Faculty Senate should continue to be engaged. Heminway indicated that a task force with representatives of student government might be appropriate. Lane commented that Department Heads should know how to use the data and not misuse student evaluations.

### **IV. OLD BUSINESS**

#### *A. ESE Ph.D.*

Heminway noted that we had already discussed the THEC's approval of the Energy Science and Engineering Ph.D. Program.

#### *B. Civility and Community Report*

Plaut reported on the Budget and Finance Committee's review of the Final Report of the Chancellor's Task Force on Civility and Community. A copy of the Task Force's report is available at <http://web.utk.edu/~senate/docs/2010-11/FSECAttachment3-CivilityTaskForceReport0%288-23-10%29.pdf>. The Budget and Planning Committee's report is available at [http://web.utk.edu/~senate/docs/2010-11/3\\_-\\_FSBudgetPlanningCommMemo%281-11%29.pdf](http://web.utk.edu/~senate/docs/2010-11/3_-_FSBudgetPlanningCommMemo%281-11%29.pdf).

Plaut then made the following motion. Birdwell seconded.

RESOLVED, that this Executive Council (1) approves in principle the Report of the Budget and Planning Committee ("Budget Committee Report") on the Final Report of the Chancellor's Task Force on Civility and Community ("Civility Report") and (2) forwards

the Budget Committee Report to the full Faculty Senate for (a) approval in principle and (b) direction that it be sent to the Chancellor for his use in evaluating and planning implementation of the Civility Report.

The motion passed unanimously.

Plaut also described further discussions in the Budget and Planning Committee that resulted in his memorandum to Heminway that accompanies the Budget and Planning Committee's Report to the Executive Council. The memorandum highlights concerns among some members of the Budget and Planning Committee with the enforcement of student violations of rules regarding civility and community. The Committee did not include this matter in its reports because some members of the Committee believed that this issue is outside the Committee's mandate and permitted authority.

Plaut made the following motion, which was seconded.

RESOLVED, that this Executive Council request a vote of the full Faculty Senate to forward to the Chancellor the memorandum of Conrad Plaut to Joan Heminway dated January 18, 2011 for further thought and debate in the UTK and UTIA campus communities.

Discussion centered on alignment of the enforcement aspects of the memorandum with *Hilltopics* and the Code of Conduct for students. The memorandum quotes from the University of Delaware Code of Student Conduct as an example. The interaction of this proposal with First Amendment rights is a concern that needs to be evaluated. Suggestions of groups to whom the memorandum could be sent included Rita Geier, Chancellor Cheek, and Student Affairs. The process of routing the memorandum is important. Lyons questioned whether the report should be sent from the Faculty Senate Executive Council directly to the Chancellor or whether it should be put to a vote of the entire Senate. Lyons felt there was greater risk of First Amendment issues that might prevent a favorable vote on forwarding the memorandum if it is debated on the floor of the Senate. He proposed a friendly amendment that the memorandum be directed to the Chancellor directly and not to the Senate. Plaut did not accept the amendment as friendly. Lyons withdrew the suggested amendment.

The motion passed with one negative vote.

## **V. NEW BUSINESS**

### *A. Proposed Approval of Amended and Restated Faculty Senate Bylaws*

V. Anbara reported on the process for adoption of proposed changes to the Faculty Senate Bylaws. A marked version indicating proposed changes and questions about further revisions is available at [http://web.utk.edu/~senate/docs/2010-11/FSEC-Bylaws-Attachment\\_5%2811-10%29.pdf](http://web.utk.edu/~senate/docs/2010-11/FSEC-Bylaws-Attachment_5%2811-10%29.pdf). Anbara described the ministerial conforming changes that he and Heminway had identified over the past two years, including inconsistencies in committee names and other noncontroversial changes needed to, e.g., conform the Bylaws to reflect changes in the structure of campus leadership. He also indicated that there are a few potential changes to the Bylaws that raise substantive issues that should be discussed by the Executive Council. Due to the short time available for discussion at this meeting, he proposed introducing the ministerial conforming changes, as described at the meeting, to the Faculty Senate at the February

meeting and postponing discussion of the proposed changes involving substantive matters to the February meeting of the Executive Council. There being general assent to that approach, he introduced a motion to that effect, which was seconded and unanimously approved.

*B. Requested Endorsement of Campus Work-Life Climate Survey*

Heminway briefly described the request from Margaret Sallee on behalf of the Chancellor's Commission for Women that the Executive Council endorse the Results of the 2010 Campus Work-Life Climate Survey, available at [http://web.utk.edu/~senate/docs/2010-11/Work-Life\\_Survey\\_Report-August\\_2010.pdf](http://web.utk.edu/~senate/docs/2010-11/Work-Life_Survey_Report-August_2010.pdf). Heminway moved and Birdwell seconded the following motion:

RESOLVED, that this Executive Council (1) approves in principle the 2010 Campus Work-Life Climate Survey and (2) forwards it to the full Faculty Senate for approval in principle.

The motion passed unanimously.

**VI. ADJOURNMENT**

Adjournment was moved, second and approved unanimously.

The meeting adjourned at 5:10 p.m.