FACULTY COUNCIL
MEETING 34 - Minutes
Wednesday, January 16, 2013, 3:00 p.m. CST (videoconference)

UT Faculty Council Voting Members (Quorum, 5 voting members)
UTHSC   George Cook (Campus Representative) - Present
        Thad Wilson (Faculty Senate President) - Present
UTK     Steve Thomas (Faculty Senate President) - Present
        David Patterson (Campus Representative) (UTFC Secretary) – Absent
UTM     Robert Nanney (Faculty Senate President) - Present
        Jenna Wright (Campus Representative) – Present
UTC     Deborah McAllister (Faculty Senate President) - Present
        Ralph Covino (Campus Representative) - Absent
Trustees (Ex-Officio voting)
        Janet Wilbert (Board of Trustees Faculty member-Voting) (UTFC Chair) - Present
        Vicki Steinberg (Board of Trustees Faculty member-nonVoting) - Present

UT Faculty Council Ex-Officio Non-voting Members
UT     Dr. Joe DiPietro (System President) – Absent
UT     Dr. Katie High (System Office of Academic Affairs and Student Success) – Present

Faculty Council Guests
UT     Dr. India Lane (System Office of Academic Affairs and Student Success)
UTM    Dr. Brian Donavant, Senate President elect-elect & next UTM Faculty BOT member

Call to Order
Roll Call
ORDER OF BUSINESS
Approval of the November 7, 2012 minutes. Approved with the addition of the campus reports.

Old Business
1. Board Policy changes update – a change that was recommended from the handbook retreat has been drafted and has been sent the Academic Affairs officers on each campus. (See attachment at the end of the minutes.)
2. Academic Freedom resolution (updates on campus activity) – The campuses have adopted a resolution that requests the BOT to expand the definition of academic freedom to include protection for shared governance and other employment-related speech. Each campus needs to make sure these campus approved resolutions get to High’s office as soon as possible.
3. Evaluation scale review (http://www.tennessee.edu/system/academicaffairs/docs/BdTenurePolicy.pdf) – Campuses were asked to discuss the BOT policy on Tenure, specifically to allow faculty evaluation tools to vary
from the current 4 point scale to a scale that suits the campus. Discussion followed:

a. Wilson expressed that the faculty across the system should have a uniform rating system.

b. McAllister had requested of Lane any outcomes from the UTK pilot that might indicate a shift is faculty ratings. Lane has tried to get this information but it does not exist and will have to be retrieved manually.

c. Wilbert and all UTM members stated that a variable rating scale would make it hard for faculty to be “compared” across the system.

d. Lane reminded UTF members that in going to a 5 point scale (or any scale other than the current 4 point scale) the campus by-laws must indicate how the new scale will “fit” into the merit pay structure.

e. High reminded the UTF that the campuses do not have to vote on this change, it is informational only. A BOT policy is changed by vote of the Trustees, however; the two faculty Trustees should speak as the voice of the system-wide faculty. The current proposed policy amendment is only to allow variability in the scale. If the UTF wants to propose new wording for a uniform faculty evaluation scale it can do so in the future. The current proposal allows for the UTK pilot to become the standing evaluation scale without forcing all the other campuses to use the scale. If all the campuses adopt the scale, then new wording can be proposed for the policy in the future.

New Business

1. Advising audit requests – High shared that an advising retreat has been planned for September 2013 where best practices from the campuses can be shared. Because the system-wide strategic plan recommended more collaboration, this retreat will be sponsored by system funds. Also, at the next BOT meeting there will be a panel of students who will speak regarding advising on the different campuses.

2. New UTF Chair must be elected by May 15, 2013 – informational only


a. Charter reminder – “Records of the activities of the UFC shall be kept and transmitted to the appropriate successor officers of the UFC. The President will ask campus Chancellors to credit UFC service as part of each member’s annual performance and planning review and also for members’ promotion review.” – informational only

b. Charter revision – “The Office of the Vice President for Academic Affairs & Student Success will provide the UFC with necessary secretarial assistance and other necessary related services and resources.” – Wilbert proposed the addition of “& Student Success” to the charter to keep in line with the officical name of the office. This was supported by all present. This is the first reading of this proposed amendment to the Charter.

4. Bylaws (http://utfc.tennessee.edu/charter/UFC_Bylaws.pdf)

a. Bylaws revision – “Both the voting and non-voting Faculty Trustees of the University of Tennessee Board of Trustees, who are not currently serving as Senate Presidents of their campuses.” – Wilbert proposed wording changes to the UFC membership for the Faculty Trustees. This was supported by all present. This is the first reading of this proposed amendment to the Bylaws.

b. Bylaws reminder – “C. System Task Force Faculty Coordinator

The Chair shall appoint a Council member to serve as System Task Force Faculty Coordinator. The Coordinator shall: 1) become informed about UT System Task Forces and Committees which might benefit from faculty input, 2) solicit input from the Senates of various campuses as to appropriate faculty to nominate for participation on System Task Forces, and 3) make recommendations to the President and the appropriate Chairs of the System Task Forces regarding the appointment of faculty to serve on these Task
Discussion followed regarding this appointment. All agreed that this is an important position and this would give High’s office a “go to” person when policy changes are being discussed. It was pointed out by UTK that faculty are to be consulted when ever policy/procedure changes are being discussed. The UTFC System Task Force Faculty Coordinator could then be responsible to communicating with UTFC and securing the necessary coordination and dissemination of information.

Other Business

1. Wilson reported that faculty evaluation tools are being developed on the UTHSC campus that the faculty do not like and there appears to be a “top down” enforcement of the tool. Cheryl Scheid, Academic, Faculty & Student Affairs, is the person who is drafting these evaluations. Dialogue continues on their campus.

2. Next meeting February 27, 2013 at Board of Trustees Meeting in Chattanooga. Campus reports will be due at the evening meeting (please send to Janet in advance). Additional meeting February 28th in the morning with Dr. DiPietro (unconfirmed) – High reminded the group that the winter meeting of the AA & SS is the meeting that is webcast so that those who cannot travel can still be a part of the meeting. Those who want to travel can still do so.

3. High indicated that Dr. DiPietro likes the long meetings in Nashville where more time can be spent together. (Wilbert will get with High/Lane regarding a time in April)
PROPOSED REVISION TO BOARD POLICY TO PERMIT BOARD-APPROVED CAMPUS-SPECIFIC PERFORMANCE RATING SCALES

Board Policies Governing Academic Freedom, Responsibility and Tenure

Tenure § G – Evaluation of Tenured Faculty Members

Competent teaching is a crucial responsibility for faculty members, and the effective use of appropriate instructional evaluation (including departmental files of class syllabi and related materials, student, and peer evaluation, etc.) is important to all objective review processes. Faculty members with research/creative arts responsibilities should have the quantity and quality of their work fairly assessed. Each faculty member’s service contributions should be evaluated impartially.

1. **Annual Performance-and-Planning Review.** Each faculty member and his or her Department Head will engage in a formal annual Performance-and-Planning Review, examining the current fiscal/academic year. The planning aspects of these annual academic year reviews should also take place in the context of longer-term goals for the campus, college, and department. Each campus shall strive to reward faculty members who more than meet expectations for rank, and administrators shall develop and publish guidelines for each campus to allocate funds for this purpose whenever feasible. Each faculty member’s annual review should proceed from guidelines and criteria which are appropriate to the department, college, and campus and this annual review should be a key element in merit pay or performance-based salary adjustments. **College and department bylaws should make clear the context, criteria, and procedures to be followed for these reviews, summarizing the review, including specific evaluation criteria for each level of performance.** A document summarizing the review – including an objective rating of the faculty member’s performance, as listed below – must be signed by the faculty member (to acknowledge receipt of the document) and the Department Head. The Head must send a copy to the Dean. The Dean must send copies of the documents or a list of names by category to the Chief Academic Officer for review and approval/disapproval.

The Performance ratings scale for annual reviews shall be as follows approved by the Board of Trustees, and may include (in whole or part) the ratings defined below. Unless or until the Board of Trustees approves a campus-specific rating scale, campuses shall employ the rating scale defined below. To ensure seamless application of other faculty policies and procedures related to performance ratings (whether part of this document or some other policy or procedure), any campus-specific rating scale must explain how it articulates with the rating scale defined below.

and campus, college, and department bylaws must clarify the means and metric for each department head to employ in conducting these reviews. Campus faculty handbooks, college bylaws, and/or department bylaws must clarify, specify the means and metric for each department head to employ in the substantive performance criteria to be used when conducting these performance reviews within the particular unit.
The following performance rating scale is to be applied in evaluating tenured faculty members when no campus-specific scale is in place:

a. Exceeds Expectations for Rank – eligible for significant merit pay or performance-based salary adjustment that is consistent with campus, college, and departmental fiscal situations;

b. Meets Expectations for Rank – eligible for minimum merit pay or performance-based salary adjustment that is consistent with campus, college, and departmental fiscal situations;

c. Needs improvement for Rank – not eligible for merit pay or performance-based salary adjustment and required to implement an Annual Review Improvement Plan (see below); and

d. Unsatisfactory for Rank – not eligible for any salary adjustment and required to implement an Annual Review Improvement Plan (see below).

Annual Review Improvement Plans: Within 30 days of the annual review, any faculty member rated Unsatisfactory for Rank or Unsatisfactory for Rank must collaborate with the Head on an Annual Review Improvement Plan to be reviewed by the Head and recommended by him/her to the Dean for review and approval/denial. The next year’s annual review must include a progress report that clearly describes improvements in any area(s) noted as Needs Improvement for Rank or Unsatisfactory for Rank.

Appeal process: Each campus shall have a campus-wide process by which a faculty member may appeal his/her annual review rating. Developing the process should involve the Faculty Senate or an appropriate committee thereof.
Board Policies Governing Academic Freedom, Responsibility and Tenure (last revised 2006).

Proposed Revisions based on Chief Academic Officer input 011812 and recent discussions
(Proposed edits reviewed, revised, and approved by the Office of General Counsel 12-7-2012)

Board Policies Governing Academic Freedom, Responsibility and Tenure

Tenure

§ A. Definition of Tenure

Tenure is a principle that entitles a faculty member to continuation of his or her annual appointment until relinquishment or forfeiture of tenure or until termination of tenure for adequate cause, financial exigency, or academic program discontinuance. The burden of proof that tenure should be awarded rests with the faculty member. Tenure is acquired only by positive action of the Board of Trustees, and is awarded in a particular academic unit, department, school, or college of a campus. The award of tenure shifts the burden of proof concerning the faculty member’s continuing appointment from the faculty member to The University.

§ B. Eligibility for Tenure

Eligibility for tenure consideration shall be subject to the following minimum standards:

1. Regular, full-time, tenure-track faculty appointments at the academic rank of instructor, assistant professor, associate professor, or professor are eligible for tenure;

2. Temporary, term, and part-time appointments are not eligible for tenure, except that in the extraordinary circumstances defined in Appendix E, faculty members who do not have a full-time appointment may be eligible for tenure;

Each campus may establish additional eligibility requirements for tenure consideration. After approval by the Board of Trustees, campus eligibility requirements for tenure consideration shall be published in the campus Faculty Handbook.

No faculty member shall be appointed initially with tenure except by positive action of the Board of Trustees upon the recommendation of the President and after review by the tenured faculty and department Head, Dean, Chief Academic Officer, and Chancellor. Appendix D outlines expedited procedures for appointment and tenure consideration.

§ F. Locus of Tenure

Tenure at The University of Tennessee is granted in a particular academic unit (department, school, or college) of a specific campus, in a position appropriate to the faculty member’s qualifications. Reorganizations that result in the merger or splitting of departments do not affect the tenure or probationary status of the faculty involved.
If a tenured faculty member voluntarily transfers from one UT campus to another, his or her tenured status is not transferred. However, a review by the responsible administrators in consultation with the tenured faculty of the receiving department may result in an immediate recommendation to the Board of Trustees that tenure at the new campus be granted to the transferred individual; on the other hand, a new probationary period in the receiving unit may be established. There shall be no involuntary transfer of faculty members between campuses.

Transfers of tenure between departments on the same campus do not require Board approval, but must be approved by the responsible campus administrators in consultation with the tenured faculty of the receiving unit, with notice to the Board of Trustees. In any event, prior to the effective date of the transfer all conditions relating to tenure must be documented and accepted, in writing, by the transferring faculty member. If a non-tenured faculty member transfers from one existing department to another, a new probationary period must be established and documented under the same guidelines that would be followed if the faculty member came from another institution. All conditions relating to the new probationary period must be documented and accepted, in writing, by the transferring faculty member.

If a tenured faculty member accepts a part-time faculty position or an administrative position with The University, neither of which can carry tenure, the faculty member retains tenure in the full-time faculty position he or she vacated.

Appendix A

Procedures for Consideration and Grant of Tenure

1. Tenured Faculty’s Recommendation

An adequate evaluation of a tenure candidate’s qualifications, professional contributions, potential, and determination of whether he or she should be accepted as a tenured member of the campus academic community requires the judgment of both the candidate’s faculty colleagues and the responsible administrators. Thus, although recommendations for tenure are administrative actions that must be approved by the Board of Trustees, there should be no positive recommendation for tenure without formal consultation with the tenured faculty of the department in which the candidate holds his or her position.

Procedures governing the tenured faculty’s consideration of a candidate for tenure must be established in bylaws adopted at the departmental, school, and/or college level. The bylaws shall provide for a meeting of the tenured faculty to debate and discuss the tenure candidacy. The bylaws shall also provide for the manner of taking and recording a formal vote of the tenured faculty on whether the candidate should be recommended for tenure and shall establish the minimum number of votes necessary to constitute a positive recommendation.