



THE UNIVERSITY of TENNESSEE

KNOXVILLE, CHATTANOOGA, MARTIN, TULLAHOMA, MEMPHIS

FACULTY COUNCIL

MEETING 12 - MINUTES

Monday January 25, 2010, 10:30am – 1pm (Central Time), UT Nashville Office, 226 Capital Blvd., Room 212, Nashville, TN 37219. Box Lunch provided.

UT Faculty Council Members:

UTC: H. Lyn Miles, Shela Van Ness (for Pedro Campa)

UTHSC: Parker Suttle, George Cook

UTK: Beauvais Lyons (Chair), Toby Boulet

UTM: Dan McDonough, Jenna Wright

Trustees: Karen Johnson, Verbie Prevost

Ex Officio: Interim President: Jan Simek, Vice-President: Bonnie Yegidis

Guest: Anthony Haynes

Members Absent: Pedro Campa

1. Call to Order

2. Approval of the Minutes of Meeting 11 (October 8, 2009)

http://web.utk.edu/~utfc/docs/minutes/FC_Meeting_11_October_8_2009.pdf

approved with minor grammatical revisions.

3. Discussion of Issues of Concern with President Simek

A. Outcome of the Governor's Special Session on Education Reform and it's Impact on Higher Education and the Upcoming 2010 Legislative Session

Web link: <http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SB7006>

Anthony Haynes joined the meeting to talk about recent legislative actions and concerns. Bonnie Yegidis provided a hand-out summary regarding the various aspects of the legislation that impact higher education. Everyone agreed that Vice-President Yegidis will work with Chancellors and Provosts at UTC, UTK and UTM to communicate the implications of the legislation for Faculty Senates, and the process for faculty oversight of common core courses in high population majors (business, psychology and communications).

Faculty Senates on each campus need to be mindful of articulating campus missions and developing mechanisms to improve graduation rates with the new THEC formula, including the option of raising admission standards.

The Council felt the "Friday Brief" has been helpful and would continue to make sure faculty leaders are informed regarding legislative concerns. Some key issues that will come up in this session will

be prohibiting using textbooks authored by faculty authors and using lottery funds for private degree mills in the state, among others. Council members said they would be happy to help with any lobbying and communications efforts by the system.

B. Reorganization of Higher Education (UT and TBR) in Tennessee

The UT-TBR Task Force produced a report focusing on collaboration, articulation and avoiding duplication that will be sent to the Council. Bonnie Yegidis said she would send a copy for posting on the Council website.

C. Board Policy for Presidential Searches

http://bot.tennessee.edu/docs/bylaws_100909_IV.pdf

(a) Election of the President. In the event of a vacancy, or notice of an impending vacancy, in the office of the President, the Chair, or in the Chair's absence the Vice Chair, shall recommend to the Board the appointment of a search committee composed of appointed members of the Board of Trustees and members of the faculty. The search committee shall take appropriate action to prepare and submit for consideration of the Board a panel of nominees for the position of President. The number of nominees shall be determined by the Board upon the recommendation of the search committee.

In carrying out its duties, the search committee may appoint an advisory committee composed of University faculty, staff, and students, as well as alumni and other representatives of the University's external constituencies, to assist and advise during the search process. The search committee may adopt such rules and procedure as it deems necessary in performing its duties and shall comply with all applicable legal requirements.

A prospective timeline will be presented at upcoming BOT meeting February 25-26 with the goal of filling the position by October 2010, six months before President Simek's term ends. The concern is to have a new President in place before the next legislative session. Tasks to be completed before a new president is in place include the relocation of system offices (without much expense), and determining reporting lines for Athletics. Simek said the three main duties of the system president are (1) legislative, (2) development and (3) coordinating and communicating a consistency of mission (with ORNL and UTHSC linkages being an example). President Simek said he felt there would be viable candidates coming from within UT as well as outside candidates.

Beauvais Lyons will communicate with Jim Murphy to make sure there is communication between the Council and him on nominations of both candidates and prospective faculty search committee members as the process moves forward.

D. Board Policy on Faculty Handbook Revisions and Appointment Letters

<http://bot.tennessee.edu/docs/FacultyHandbookRevis.pdf>

*(Approved by the UT Board of Trustees at its meeting of 18 June 1992)
The Academic Committee and the University of Tennessee Board of Trustees wish to affirm the Board's position regarding approvals needed for faculty handbook revisions. The bylaws of The University of Tennessee (revised September 1989) are clear in terms of the Board's authority, but specific instances occasionally require clarification.*

The Bylaws direct the Board of Trustees to establish “policies,” but not to direct “matters of administration”; the Bylaws further state that “The Academic Committee shall approve and recommend to the Board. . .the adoption and revision of faculty personnel policies.”

This clear distinction between policy and administration should be applied to the approvals required to effect changes in faculty handbooks. The Board of Trustees is responsible for policy changes in areas such as the following: appointment, retention, promotion, probation, tenure, and termination; academic freedom and faculty rights; and intellectual property, compensated outside services, academic misconduct, and conflict of interest.

For editorial, technical, and other housekeeping changes in these policy matters, the Board delegates review-and-approval responsibility to the President, the General Counsel, and appropriate Vice Presidents.

For all revisions in handbook matters other than policies like those noted above, the Board delegates review-and-approval responsibility to the President, the General Counsel, and appropriate Vice Presidents.

At UTHSC changes to the Faculty Handbook are being prepared for Board of Trustee approval. There was some discussion of differentiating between policies (in the handbook) and procedures (in the evaluation manual). At UTHSC there are some complex issues regarding funding sources (“orange dollars,” clinical dollars, etc.) in relation to appointment letters, clinical and teaching duties and annual faculty review process. While there is an appeals process in place, Beauvais Lyons suggested that establishing a joint faculty/administrative committee to review work assignments might help to avoid future appeals and litigation.

E. Other Issues Specific to UTHSC. The status of the Chancellor Search, reduction in force for university employees and preparations for post-stimulus funding, and the decision not to spend the more than \$30 Million in federal stimulus funds to keep people employed in the current year were briefly discussed. The UTHSC Chancellor is no longer a Vice-President of the system, but will be Chancellor. The same will happen for VP of Agriculture. Stimulus funds at UTHSC are not being spent to save jobs in preparation for drawing down positions in preparation for post-stimulus funding. There was discussion of the need for advance notice to prepare people for looking for new positions either within or outside of the institution. There was also concern about supervisor training to handle the many anticipated layoffs.

F. Discussion of the Agenda for the February Board of Trustees Meeting. Bonnie Yegidis sent a copy of the meeting agenda with a number of information items to Council members. The Academic Affairs and Students Success meeting will be video-cast with participating sites at UTC, UTK and UTHS. All reports will be emailed in advance. Simek said he is going to encourage the Board of Trustees to develop a strategic plan that is in line with the new THEC formula.

There were concerns expressed about the level of deliberation within the Committee on Academic Affairs and Student Success regarding agenda items/topics. Bonnie Yegidis said that committee members would receive materials two weeks in advance of the meeting and that pre-meeting communications are welcome.

4. Preliminary Schedule for Future Meetings

No meeting is planned in conjunction with the February 25-26, 2010 Board of Trustees meeting to be held in Martin, Tennessee. Dan McDonough said he would cancel the hotel and meeting rooms reserved for this period. Meeting 13 will be held prior to the June 23-24, 2010 Board of Trustees meeting in Knoxville, Tennessee. President Simek and members of the Council agreed that it is good to meet at least once a year separately from Board of Trustees meetings to have more face time. Several Council members said they would like to arrange with President Simek for campus visits and interactions with faculty this spring.

Beauvais Lyons also noted that elections for campus representatives should be held this spring for UTHSC and UTK and that election of a chair for the Council for 2010-2011 will be on the agenda for the June meeting.

5. Adjournment at 12:45pm.

Summary of Items for Follow-up

1. Vice-President Yegidis will work with Chancellors and Provosts at UTC, UTK and UTM to communicate the implications of the legislation for Faculty Senates.
2. Faculty Senates on each campus need to be mindful of articulating campus missions and developing mechanisms to improve graduation rates with the new THEC formula, including the option of raising admission standards.
3. The Council will continue to receive the "Friday Brief" and will work with Anthony Haynes to assist with any lobbying and communications efforts by the system.
4. Vice President Yegidis will email a report on the Joint UT-TBR Task Force on the Reorganization of Higher Education for posting on the Council website.
5. Beauvais Lyons will communicate with Jim Murphy to make sure there is communication between the Council and him on nominations of both candidates and prospective faculty search committee members as the process moves forward.
6. A copy of the 6-month study by the UT Office of General Counsel of the appointment letters and re-appointment letters for all campuses is requested.
7. At the request of the Faculty Senates, President Simek will be available for campus visits this spring.
8. Elections for new campus representatives on the Council will be held this spring at UTHSC and UTK and election of a new Council chair will be held at the June meeting.