



THE UNIVERSITY of TENNESSEE

KNOXVILLE, CHATTANOOGA, MARTIN, TULLAHOMA, MEMPHIS

UNIVERSITY FACULTY COUNCIL

Meeting 60

UT Martin, Special Collections Meeting Room, Paul Meek Library

March 31, 2016

**UT Faculty Council Voting Members (Quorum, 5 voting members, established)**

|       |  |         |
|-------|--|---------|
| UTHSC | Thad Wilson (Faculty Senate President)     | present |
|       | Phyllis A. Richey (Campus Representative)  | present |
| UTK   | Bruce MacLennan (Faculty Senate President) | present |
|       | Candace White (Campus Representative)      | present |
| UTM   | Roberto Mancusi (Faculty Senate President) | present |
|       | Robert Nanney (Campus Representative)      | present |
| UTC   | Susan Davidson (Faculty Senate President)  | absent  |
|       | Elizabeth O'Brien (Campus Representative)  | absent  |

**Trustees (Ex-Officio voting)**

|  |   |         |
|--|---|---------|
|  | Jeff Rogers (Board of Trustees faculty non-voting member)     | present |
|  | David A. Golden (Board of Trustees faculty non-voting member) | absent  |

**UT Faculty Council Ex-Officio Non-voting Members**

|    |  |         |
|----|--|---------|
| UT | Dr. Joe DiPietro (System President)                                | present |
| UT | Katie High (System Office of Academic Affairs and Student Success) | present |

**Faculty Council Guests**

|      |  |         |
|------|--|---------|
| UT   | India Lane (System Office of Academic Affairs and Student Success) | present |
| UTHS | Terry Cooper (Faculty Senate President-elect)                      | present |
| UTK  | Bonnie Ownley (Faculty Senate President-elect)                     | present |

**Call to Order 8:30 AM CDT by Bruce MacLennan**

## Discussion with President DiPietro

Joe reviewed the budget as it stands now. In reoccurring funding there is \$15M for the formula units and \$7M for the non-formula units. The state did not provide a raise file this year, and therefore providing a 3% raise pool will take all of the \$15M, with nothing left for expense increases, program improvements, or performance raises. Therefore, it will be necessary to raise tuition, probably 2.2%. The real problem is the proposed diversion of \$8M from UTK. It's unclear where that number came from, and it sets a very bad precedent. Although UTC, UTM, and UTIA would benefit from the transfer, they agree it is not a good idea. There is also the threat to the Office of Diversity and Inclusion (ODI) at UTK, and the "guns on campus" bill is still active. Several other dangerous bills (tuition freeze, restructuring of Board) are off the table for now.

Outsourcing will have to be played out to the end (probably next February). An independent consultant will look at the numbers. There are some tasks the facilities management companies don't want to handle, such as the ag research stations, 4H camps, and probably the vet clinics. The onus is on us to write the requirements to satisfy our needs. They have ensured us that productive employees will be retained for the life of the contract (5 years with annual renewals) with a similar benefits package to what they have now. They are addressing tuition waivers and longevity pay for staff.

Joe addressed the issue of sexual assault on campus and the Title IX suit, noting that only the plaintiff's side had appeared in the press. Since the "Dear Colleague" letter, all the UT campuses have improved in the way they address issues of consent, prevention, and response. Reporting is much better. We want to set a national standard in our handling of sexual assault. He noted that the UT system has 39,000 students between 18 and 21 years old. Joe mentioned that a mandated training came out a week or so ago, but few of the UFC members seemed to be aware of it. Bonnie said we need better education about faculty mandated reporting and bystander intervention. Candace asked whether there is a culture of protection of some classes of students. Joe noted that the issue of culture is blended in the Title IX issues and that the plaintiff claims there are two standards. Joe also noted that ODI does not address sexual assault.

Joe mentioned that Sex Week and also Sexual Awareness Week are coming up, and that Sen. Gresham had emailed the Sex Week program to the entire senate. UT has done everything that the legislature has asked, and about 80% of the students have opted in. Since it is a First Amendment issue, the only way to stop it would be to pass a law, which would probably be judged unconstitutional in the end, and would cost \$250,000 to defend in the meantime.

Thad noted that on NPR, AAUP had been quoted on the problems posed by Title IX to professors. Joe replied that the law around Title IX is changing rapidly.

Katie mentioned that Rep. Brooks had offered legislation about dual-credit courses (which are different from AP and CLEP). Faculty offer a challenge exam and, if the student passes, the university has to give them credit. There are 6000 students currently taking these courses. The legislation says that every high school has to offer four of them, examples are Agriculture Business Finance, Health Information Technology, Sociology, Pre-Calculus, Criminal Justice I, Greenhouse Management, and Statistics). The Dept. of Education will convene faculty committees to develop statewide exams, which will be administered by high schools.

Candace mentioned the problem of getting salary data for a gender equity study. Thad remarked that it would be better if salary data were more available than through an open records request, which is time consuming, as it was previously available through the *Commercial Appeal*. India noted that Special Collections used to have it, but it was a year out of date. Bonnie mentioned that the data are available commercially for \$270. Joe said that he would talk to Chancellor Cheek.

Overall, Joe concluded, UT is doing very well by the metrics. We have done pretty well on the legislative issues, thanks to Anthony. Many of these bills come from out-of-state, but we don't know how many.

**Introductions of new and old members and guests.**

**Minutes of February 17, 2016 were approved unanimously.**

## **New Business**

### **Campus Reports**

Susan reported by email that UTC is continuing to work hard on its Faculty Handbook and Bylaws to try and have an updated document to present to the Board of Trustees in June.

UTK reported its resolutions supporting diversity and inclusions and calling on the Board to protect it from undue political and other external interference. Other issues addressed by the senate include outsourcing and “guns on campus” bills, family care leave for non-tenure-track faculty, and student assessment of instruction. (See the attached report for more detail.)

UTM reported that it had held an institutional effectiveness workshop. Everything is focused now on assessment in order to put an end to SACS probation. They have two proposals for the Board: an out-of-state tuition model, which will be taken up in this Board meeting, and a 15-4 model for the June meeting. Krause visited to talk about TN Promise and Drive to 55. They are considering freedom of speech policies. Bonnie and Bruce noted that UTK had looked at them and decided that the current policy was adequate; they advised looking into the background of FIRE, the organization sponsoring the Chicago Principles.

Clinical programs at UTHSC are on track and growing; the Nashville campus is also growing, but also experiencing some threats to enrollment. Thad reported that the faculty senate likes the current Faculty Handbook as a starting point and is editing the non-contentious parts. Katie explained that the appendices were accidentally omitted from the 2010 version delivered to the Board. They were sent separately, but found to have been modified. Terry noted that the administration had done a good job of reconstructing its history. Katie asked whether the Faculty Evaluation Manual had ever gone to the Board for approval, and India replied that changes have been going to the Board only if they are in the category that needs Board approval. Katie mentioned that UTC has been working on its Faculty Handbook for several years and that they are getting help from a copy editor so that they don't get so bogged down. She will suggest this to UTM as well. It's not a unilateral process, but requires working with the faculty.

## **CPR Draft Policy Elements**

Katie distributed the CPR Draft Policy Elements and asked for a review and comments. Bruce asked for a summary of the principal changes, and Katie began by noting that the previous policy had no preamble to set out the objectives of the process. There is also a change in the triggering conditions, in that a single Unsatisfactory in a four-year period can trigger a CPR. This was one of the most hotly debated issues in the CPR committee, which tended to split between faculty and administrators on this issue. Since deans don't have a lot of experience with CPRs, another change is that the process will be overseen by the chief academic officer (CAO), who is responsible for educating the committee about the process. Another change was in the constitution and composition of the committee. There will be 5 members: a chair, chosen by the dean, and one each nominated by the college P&T committee (if there is one), nominated by the head, nominated by the faculty member, and nominated by the senate president. Each of these is chosen by the dean from three nominees, but the CAO is looking over the dean's shoulder to make sure the process is fair. Therefore, two are nominated by administrators and three by faculty.

There was considerable discussion of the changed triggering conditions. It is unclear when the clock starts. Does everyone get a clean slate when the new policy is adopted? Roberto raised the issue of a CPR being triggered by one bad year. Katie replied that the CPR committee could decide if there were reasons for an exceptional year. She mentioned that Lela found out that there had been 25 CPR committees over the last 10 years.

Katie asked that UFC representatives distribute the draft elements to their faculties and request comments and suggestions by April 15. Let your CAO know you are doing this. We should make it clear that faculty are not voting on the policy. The elements are not the final words, but they are close, so we should pay attention to language. The CPR committee will consider the comments and suggestions in drafting the final policy recommendations to be made to Joe. The policy elements will also be sent to the chancellors and others for comment.

**April 20, 2016 is the next scheduled UFC videoconference.**

**The meeting was adjourned at 12:10 PM CDT.**

Respectfully submitted,  
Bruce MacLennan  
UFC Secretary