



THE UNIVERSITY of TENNESSEE

KNOXVILLE, CHATTANOOGA, MARTIN, TULLAHOMA, MEMPHIS

UNIVERSITY FACULTY COUNCIL

Meeting 61
Videoconference
April 20, 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)	present
	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)	absent
UT	Katie High (System Office of Academic Affairs and Student Success)	present

Faculty Council Guests

UTK	Toby Boulet (Chair, CPR Committee)	present
UTHS	Terry Cooper (Faculty Senate President-elect)	present
UTK	Bonnie Ownley (Faculty Senate President-elect)	present

Call to Order 4:05 EST by Bruce MacLennan

The minutes of the March 31, 2016 meeting in Martin were approved.

Discussion of CPR document

Katie said the deadline to comment on CPR has been extended until May 5. Comments are not all in from all campuses. Bruce shared the comments about the CPR document that have been collected in Knoxville, and will send a reminder to faculty. Katie's office is collecting the comments, looking for themes, and placing the comments in the sections they are intended to address. (Comment about the "one and done" trigger is most prevalent.) There is no conclusion about when the policy will go to the Board of Trustees. Katie said her goal is to get a clean set of the elements to General Counsel.

Candace will talk to someone in HR about exploring an avenue for people with mental health or other issues to disclose problems when CPR is triggered. Jeff said the policy is about process, and policy should not be about extenuating circumstances or other problems. Any issue that prevents a faculty member from performing should be addressed before a department head makes the evaluation, which points to the continued need for department head training. Once the committee is convened, it is obligated to proceed. However, there is nothing in the CPR policy language that would stop or prevent the CPR committee from considering a health problem, if one were found. The committee and CAO can pull the plug on the whole process at any time for cause.

Jeff noted we need a provision to show where the CAO can stop the process. We need to allow in 6.1.5 for the faculty member to bring in other information. Toby noted the faculty member would have the option to have a rebuttal, which could include self-disclosure of health issues. He noted there may be cases where serious intervention is required. Jeff noted that most of the comments have been about the one unsatisfactory as the trigger and that CPR is triggered too quickly and easily. He noted the triggering of the CPR process is in itself a stigma.

Phyllis agreed that the comments from Memphis are overwhelming about concern that it is too easy to have the process triggered quickly. There needs to be a procedure in place that precedes the trigger because of the concern that evaluations are not done uniformly on that campus. Terry added that when one is triggered, it destroys the trust of the entire faculty and that it destroys the idea of tenure. He said faculty have asked, Why bother with tenure? He said that administrators by nature have high ego and high ambition, and the process could be triggered by personal conflicts. There is a need for balance so the university is protected from bad faculty and the faculty is protected from bad administrators who are acting out of bounds. He worries that the trigger could come with no warning, which is causing mistrust and fear. The policy must maintain trust and the support of faculty as being just. We don't want to destabilize the 98% of faculty members that we want to keep because 2% may have questionable performance. The difference between unsatisfactory and needs improvement should be very clear because any overlap means a judgement call on the part of a department head.

Bruce noted that by giving an unsatisfactory, the department head is saying, "I want CPR." He noted that the faculty fear a rogue department head who may judge performance based on personality, political divisions, etc. Faculty need to be assured this will be addressed (back to better department head training). Toby noted that the involvement of the CAO is a mitigating factor and that the CAO ensures there are not extenuating circumstances in the department. Due diligence is done before the "real" trigger, which is the formation of the committee.

Katie noted that the comments about the triggers are the most prevalent comments. She also noted that only 25 people from all campuses have gone through the process in the past 18 years.

There was discussion about there not being enough time for a faculty member to work through the Appeals Committee within the time allowed for the CPR committee to act. Appeals may take longer than 18 months. Faculty can't appeal before the trigger is pulled. Toby noted that unsatisfactory is not the official trigger without review of the CAO who could determine another course of action before the trigger is pulled. Candace asked for clarification about whether every unsatisfactory is investigated by the CAO and the trigger is pulled only after the investigation. Toby replied that department heads must provide supporting documentation and that the CAO "certifies" if the unsatisfactory is justified.

Katie noted that lots of responsibility rests with the CAO, which is not exactly what the policy says. The policy says the decision rests with the chancellor. Phyllis noted chancellors need tools to redeploy the 2%, and noted that an interim step is needed to balance the "one and done." Toby said he thinks his committee would be receptive to an extra step, but have to give guidance to the CAO. He welcomes any specificity. Thad said the five chancellors should provide consensus statements as to their goals for CPR.

Bonnie noted that deans can also act as department heads in some colleges, and chancellors can be the CAO. She noted that termination is a dysfunctional tool and the process and appeals can be dragged out for years.

There was discussion about the composition of the CPR committee. The dean has too much power in the nomination process. The time frame needs to be clarified in light of the rolling 3-year review process. Terry noted that faculty need intermediate benchmarks before the trigger is pulled.

The UFC thanked Katie for considering the comments and for asking for an extension. The UFC trusts that all comments will be incorporated into a document that will be sent to the review committee. Bruce said he would facilitate to be sure all the comments will also be shared with the UFC.

May 18, 2016 is the next scheduled UFC videoconference.

The meeting was adjourned at 5:40 PM EST.

Respectfully submitted,
Candace White