



THE UNIVERSITY of TENNESSEE

KNOXVILLE, CHATTANOOGA, MARTIN, TULLAHOMA, MEMPHIS

UNIVERSITY FACULTY COUNCIL

Meeting 62  
May 18, 2016  
Videoconference

**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)	absent
	Robert Nanney (Campus Representative)	absent
UTC	Susan Davidson (Faculty Senate President)	present
	Elizabeth O'Brien (Campus Representative)	present

**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**

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

**Call to Order 4:06 PM EST by Bruce MacLennan**

Minutes of April 20, 2016 were approved unanimously.

## New Business

Extended Post-tenure Performance Review (EPPR) policy: Katie reviewed how the 59 pages of comments from the campuses on the draft EPPR (née CPR) policy were handled. The comments were organized and color-coded by topic and campus. Before last week's meeting this material was distributed to the committee for their review, and the team responded to each of the comments. At the meeting, the committee reviewed the document with the administrative changes requested by Katie and Lela. They discussed comments from the campus faculties, but ran out of time two-thirds of the way through.

The review team will need to meet to discuss all of these changes and vote them up or down. If any of them are voted down, then another iteration will be required. Katie has recommended to Joe that after the changes are settled, the resulting document be circulated to all the senates this summer so that they could be considered by the senates in the fall. Katie and/or Toby will visit each senate to answer questions and explain the policies. Joe has agreed to this plan. The assumption is that the policy wouldn't be going to the Board in June, but if the trustees disagree, then there will have to be some negotiation. Everyone, including General Counsel, agrees that the process shouldn't be rushed.

Katie noted that the resolutions from the UTK and UTHSC had been sent to Joe. Susan said that UTC wouldn't be sending a resolution, and it is not known whether UTM will send one.

Candace asked what were the central problems mentioned in the comments. Katie replied that clarity was a key issue. She said the "bookends" to the policy also need to be addressed. It's important that everyone understands that one Needs Improvement should trigger a departmental review. The CAO operates as "sheriff"; it is their responsibility to investigate if something doesn't look right. The CAOs will be the ones to decide if the EPPR trigger should be pulled (a responsibility they have agreed to take). The committee continues to feel strongly that a single Unsatisfactory should be enough to trigger an EPPR (if there aren't extenuating circumstances). Moreover, a faculty member can request an EPPR for them self. The committee understands that the single U will remain a controversial decision.

They have beefed up the preamble, looking at about 20 other institutions and proposing additional language supporting academic freedom etc. The committee recognizes the level of anxiety among faculty who commented.

Terry raised the issue that the draft refers to the CAO "or designee." Who might this be? Could it be a dean? Katie said the intention was that it be someone in the provost's office; for example, on the UTK campus, the Vice Provost for Academic Affairs. It was agreed that this should be clarified; it is not someone at the college or department level. Ultimately, it is the CAO who signs off.

Thad noted that the document doesn't guard against poor decision by the CAO (e.g., conspiracies). Katie replied that this issue had been considered by the review team, but that you can't write policy to protect against people who are not doing their jobs. You have to assume integrity, and then take care of the cases when that is not true. Thad noted that there had been incidents in the past.

Katie said that the next step is to determine whether they need another meeting, or whether there was another way to have the discussion. Hopefully this will be done in the next two weeks. The document will have to be scrubbed by General Counsel before it becomes policy. All communications will be circulated to everyone involved. The color-coded version will be sent to UFC after the team discusses it, and we will be able to circulate it, post it on web sites, etc. Toby and/or Katie will present it to each senate in the fall. Doing it at the fall Retreat would be ideal for those senates who have them. We should send our fall senate schedules to Katie as soon as they are available. The team is trying to make the process as transparent and inclusive as possible.

Candace asked about the original motivation for the CPR revision. Katie said there were several, and it was Board-driven. The trustees asked about faculty not doing their jobs; they don't believe our figures (a majority exceeding expectations, very few not meeting), since that is different from business experience. Lela showed them the data, but they questioned whether the process is efficient and effective and noted that it can drag on for a long time. The Board asked for (1) a clear process that is (2) realistic in time.

Bruce asked if the numbers of EPPRs would remain small and wondered whether the Board would continue to be concerned. Katie answered that the numbers would still be small, but they should be satisfied that the process has been tightened up.

Katie remarked that there will need to be serious department head training, and India noted that the task to look at it system-wide had come to HR and Academic Affairs six to eight months ago, but that they have been working on it much longer. They have done some sporadic training. Karen Brinkley is doing a best practices / literature review and has surveyed heads across the UT system. We have completed a proposal for annual development opportunities that would bring in outside speakers, etc., for department heads at each campus, but it will be up to campus leadership (unless Joe says otherwise) to say whether any part of this training is mandatory (since no one likes mandatory). All campuses are doing already a lot of department head development, and development is being done in the colleges. UT system plans don't want to step on any of these ongoing efforts. Katie said they have learned that heads want to learn better ways to communicate at evaluation meetings, especially if they are not congenial. India said that heads also want to learn ways to advocate for their departments, compete for resources, etc.

Phyllis asked when we will get the notes from last week's committee meeting. Katie said she is working on putting them together, but she is still receiving comments. Phyllis asked whether the minutes could be shared. Katie said yes, but that nothing was voted on; issues were just discussed. They have to go through them again and formally vote.

Bruce brought up the issue of departmental expectations, that they should be in departmental bylaws, and that this is an important part of shared governance. India noted that there has not been any recent action on departmental bylaws.

Katie said fall 2017 would be the effective date for the new policy and that they will review them after a year. Jeff raised the issue of when the clock would start for counting NIs and Us. Katie thought that everyone would start fresh in fall 2017, but that there had not been a vote on that yet. Until fall 2017, UT is still operating under the old rules. Each campus will have the ability to implement the policy in its own way; this is just default procedure. But its implementation can't

be in conflict with the policy. For example, a campus could organize the committee in a different way.

The issue was raised of parallel procedures when a grievance committee finds in favor of a faculty member, which might eliminate the need for an EPPR. Katie said that it was on the agenda for discussion.

**The meeting was adjourned at 5:02 PM EST.**

Respectfully submitted,  
Bruce MacLennan  
UFC Secretary