

Faculty Senate Meeting March 13, 2018 4PM GEB A204 Draft Minutes

Present: (24) William Callahan, James Christian, Dawson Colvert, George Cook, Terry Cooper, Martin Donaldson, Ioannis Dragatsis, Bruce Hamilton, Peg Hartig, Rod Hori, Vinay Jain, Vickie Jones, Mack Land, Jennifer Langford, Dayna Myers, James Ragain, Phyllis Richey, Reese Scroggs, Tim Self, Christina Spivey, Fridtjof Thomas, Craig Vinall, Kathy Kenwright for Wes Williamson, Yanhui Zhang

Via Zoom*: (9) John Boughter, Bill Dabbs, Jami Flick, Csaba Kovesdy, Helmut Steinberg, Wen Lin Sun *There are 3 attendees who are listed on the Zoom roster with IP address and phone number only; if you attended via Zoom but aren't listed here, please contact Jennifer Langford at jwelch30@uthsc.edu.

Administration: MaryAnn Clark, Lori Gonzalez, Cindy Russell

Guest Speakers: Cindy Russell and Judith Nyabando on Digital Measures/Activity Insight and the Faculty Recognition, Resource Fair and Social

- Judith is overseeing the implementation. There is a 40-person implementation team. The website is coming soon. Faculty are individually responsible for verifying the content and accuracy of information added to the system. Please contact Cindy Russell if you would like to be a tester.
- The Faculty Recognition, Resource Fair and Social is coming up on April 5 from 2-6pm. Please add your awards and recognitions so that they can be included.

The meeting was called to order at 4:02PM.

Minutes of the February 13 Faculty Senate meeting were approved unanimously.

Committee Reports

No committee reports were given; the Budget and Benefits report was distributed via email by Chair Duane Schafer (report follows minutes).

Discussion of:

TN Focus Act 2018- Martin Donaldson

BOT policies governing academic responsibility and tenure; response to embedded comments- Terry Cooper
(Slides from both follow the minutes)

The meeting was adjourned at 4:56PM.

Respectfully submitted,
Jennifer M. Langford
Faculty Senate Secretary

UT Health Science Center Faculty Senate Representative

DATE: 12 March 2018

FROM: Duane Schafer, DDS, MS

TO: President, UT Health Science Center Faculty Senate

VIA: Secretary, UT Health Science Center Faculty Senate

SUBJ: MEETING OF Budget & Benefits Committee

1. Purpose of the meeting: Regularly scheduled

2. Meeting Date 27 February 2018 Place: Suite 300 Hyman Building

3. Number Attending: (circle one) 2-5 6-10 11-15 16-25 >25 persons

4. List any key or VIP attendees: Anthony Ferrara, Chandra Alston

5. The meeting covered the following points:

a. State education budget, "where are we" by VC Ferrara; the state operating budget was finalized at the end of January. The education budget saw an increase of 3.7% from its funding base. Expect an amended/supplemental budget to be passed. UTHSC employees can expect to see a +2.5% merit market increase July 1st. Individual college budgets will be set during March meetings with Deans.

b. Tuition increases by VC Ferrara; statewide tuition increases averaged 1.8% which is the smallest increase since 1984. UTHSC tuition increases were as follows: Dentistry (2%), Medicine (2%), Nursing (1%), Health Professions (2%), Pharmacy (1%), and Graduate Programs (0%).

c. A streamlined travel tool update by VC Ferrara; the UT system is moving forward with implementation of the Concur travel tool/module. It should be a huge savings in effort for all travelers from booking to reimbursement. An advisory group of faculty and staff to participate in the design, implementation, and then testing has been formed; Jay Ragain will serve as the Faculty Senate representative.

d. Opioid epidemic update by VC Ferrara; the UTHSC program proposals have been submitted but there has been no action or money advanced yet.

6. Date of next meeting is March 27th at 12:00.

7. Other comments on the meeting:

8. Do you wish to make a report at our next UT Health Science Center Faculty Senate meeting? no

9. Senator(s) Ragain, Spivey, Flick, Myers, Wilson also attended.



(SIGNATURE)



UT FOCUS ACT 2018

RECONSTITUTES AND RESTRUCTURES THE UT BOARD OF TRUSTEES (BOT)

CURRENT BOARD SIZE – 5 EX OFFICIO AND 22 ADDITIONAL MEMBERS

PROPOSED BOARD SIZE:

SENATE = 11 MEMBERS

HOUSE = 14 MEMBERS

EFFECTIVE DATE – JUNE 1, 2018

PROPOSED BY GOVERNOR HASLAM AS A MEANS OF HAVING THE UT BOT OPERATE MORE EFFICIENTLY AND EFFECTIVELY

UT SUPPORTS THE LEGISLATION

FACULTY REMOVED BASED ON BEST PRACTICES OF THE ASSOCIATION OF GOVERNING BOARDS OF UNIVERSITIES AND COLLEGES (AGB)

UT FOCUS ACT – WHAT'S NEXT?

HB 2115

- David Hawk sponsor
- Placed on Finance, Ways and Means Subcommittee calendar for 3/14/18

SB 2260

- Mark Norris sponsor
- Placed on Senate Education Committee calendar for 3/14/18

UT FOCUS ACT – WHAT’S DIFFERENT?

HB 2115

- Provides for 1 student member
- Four campus advisory boards with a student and faculty
- Governor insures that board composition includes alumni from different UT institutions

SB 2660

- No student or faculty members
- Four campus advisory boards with a student and faculty
- Members of the campus advisory boards appointed by president

UT FOCUS ACT - WHAT'S SIMILAR?

- The existing members of the current board will be vacated on June 1, 2018
- There will be two members of each grand division of the state
- Ten members will be UT alumni
- The bill restricts the following from the board:
 - Employees of any public institution of higher education
 - Elected officials
 - State employees
 - Members of a governing body of any other public institution of higher education

UT FOCUS ACT - WHAT'S SIMILAR?

- The commissioner of agriculture will be an ex officio member
- At least 7 members must be residents of the state
- There must be diversity on regard to gender, race, perspective, and experience
- The next governor of TN will not serve on the UT BOT (Governor Haslam currently serves on the board and will appoint all new board members)

CAMPUS ADVISORY BOARDS

- Membership – 5 members appointed by the governor (president) 1 student and 1 faculty
- The five members will have staggering initial terms
- Duties of advisory boards:
 - Submit a recommendation regarding the proposed operating budget
 - Set tuition and fees
 - Advise the chancellor regarding university operations and budget, campus master plan, campus life, academic programs, policies

SOME CONCERNS

- The 2016 Focus Act established independent boards for former TBR universities that include a voting faculty and a non-voting student member; this bill does not
- A 2013 study by the Cornell Higher Education Research Institute suggests that:
 - Inclusion of faculty trustees results in improved relationships with faculty and highly effective boards
 - Faculty have direct knowledge of academic affairs, promotion and tenure, faculty workload and compensation
- Faculty and students will not have a place at the table to raise their respective concerns; their voices will be filtered before getting to the board

RESPONSE BY FACULTY AND STUDENTS TO THE PROPOSED LEGISLATION

- Terry and Phyllis – please fill in the responses from the campuses

WHAT CAN YOU DO?

- Immediately email senate and house committee members regarding your concerns with the UT Focus Act
- Use your personal email for all contacts – DO NOT USE UT EMAIL
- Contact your local senator and representative
- Cultivate a relationship with your state senator and representative; there will be more issues to discuss in the future

Resolution 1: Policy on English Competency

Whereas, it is important to periodically evaluate and update or revise the UTHSC Faculty Handbook, and

Whereas, the UTHSC Faculty Handbook Committee has negotiated a revised text for Handbook Sections 4.6.5 and 5.1.6 and recommended it to the Faculty Senate Executive Committee for evaluation and forwarding to the Faculty Senate for a vote,

Therefore be it resolved, that the UTHSC Faculty Senate approves revision of UTHSC Faculty Handbook Sections 4.6.5 and 5.1.6 into a single section as submitted to and recommended by the Faculty Senate Executive Committee, distributed to the Faculty Senate members prior to the 2-13-18 Faculty Senate meeting, and appended to the Minutes of the 2-13-18 Faculty Senate meeting.

Resolution 2: Integration of Enhanced Post-tenure Performance Review (EPPR) into the text of the 2015 Faculty Handbook

Whereas, the University of Tennessee Board of Trustees voted to replace the text of the Cumulative Performance Review policies with a newly constructed Enhanced Post-tenure Performance Review policy, and

Whereas, it is necessary to integrate the Board of Trustees policy language into the 2015 UTHSC Faculty Handbook, and

Whereas, the UTHSC Faculty Handbook Committee has negotiated with the UTHSC Administration to integrate the text of the EPPR policy with the 2015 Faculty Handbook text, and

Whereas, the language for Enhanced Post-Tenure Performance Review that is being substituted for Cumulative Performance Review language is located in various locations throughout the UTHSC Faculty Handbook (specifically, Sections 4.4.2, 4.16.3, 4.16.4, 4.16.5, 8.3.1, and Appendix J) and

Resolution 2 – Continued

Whereas, it is important to view the proposed revisions in the context of the locations where the integrations occur thus requiring that the entire sections be available for the Faculty Senate review of the proposed revisions, and

Whereas, it is only the documented changes made to the 2015 handbook text as shown in the revised sections submitted to and approved by the Faculty Senate Executive Committee for submission to the Faculty Senate for their review and disposition,

Thereby be it resolved, that the UTHSC Faculty Senate: **(1)** approves only those changes that appear in the Sections 4.4.2., 4.16.3, 4.16.4 4.16.5 8.3.1 and Appendix J as submitted to and recommended by the Faculty Senate Executive Committee, distributed to the UTHSC Faculty Senate members prior to the 2-13-18 Faculty Senate meeting, and appended to the Minutes of the 2-13-18 Faculty Senate meeting; **(2)** accepts that the approval cited above does not extend to any other existing text in Sections 4.4.2., 4.16.3, 4.16.4 4.16.5 8.3.1 and Appendix J of the 2015 Faculty Handbook and **(3)** directs the UTHSC Faculty Senate Handbook Committee to negotiate any future changes in these sections with the UTHSC Administration.

Resolution 3: Disapproval of text in Section 4.16.4.b and Appendix M

Whereas, The UTHSC Board of Trustees has approved a new policy on Enhanced Post-tenure and Performance Review, and

Whereas, it is appropriate that UTHSC Faculty be held accountable for the successful performance of activities associated with their faculty positions, and

Whereas, it is imperative that faculty be clearly informed of and understand the activities and level of performance required for satisfactory performance associated with their faculty positions, and

Whereas, the statement the expectations for faculty performance may differ by college, department, and even among sub-disciplines within a department or program, and

Whereas, the statement that those “expectations may be commonly-held standards in the discipline **or** may be stated explicitly in the faculty member’s own past annual performance reviews, work assignments, goals or other planning tools (however identified), as well as department or college bylaws, the UTHSC Faculty Handbook, the Board of Trustees Policies governing Academic Freedom, Responsibility, and Tenure, and in other generally-applicable policies and procedures (for example, fiscal, human resources, safety, research, or information technology policies and procedures).” appears in Section 4.16.4.b (Peer Review Committee’s Charge) and Appendix M, and

Resolution 3 - Continued


Whereas, the statement “commonly-held standards in the discipline” appearing in Section 4.16.4.b and Appendix M, does not possess clear, objective, and accepted criteria either within a discipline, between disciplines, within colleges of a university or between universities, and

Whereas, in the current and proposed texts in Section 4.16.4.b and Appendix M, “commonly-held standards in the discipline” may be used to assess a faculty member’s performance in place of expectations “stated explicitly in the faculty member’s own past annual performance reviews, work assignments, goals”, and

Whereas, the possibility exists that such expectations of “commonly-held standards within the discipline” may be capriciously applied to the evaluation of a faculty member’s performance in a non-uniform way within the University, colleges, departments and other university units rather than the other more specific and uniformly applied performance criteria,

Therefore be it resolved, that the UTHSC Faculty Senate requests that the Faculty member representative on the Board of Trustees request that the Board remove “commonly-held standards in the discipline” from all UTHSC faculty handbook sections describing performance review and evaluation policies and processes.

Likely Source of the Focus Act Bill Objectives

 ASSOCIATION OF GOVERNING BOARDS OF UNIVERSITIES AND COLLEGES	<h3>State Policy Brief</h3>
June 2013	
<p>Building Public Governing Board Capacity: Suggestions and Recommendations to Governors and State Legislatures for Improving the Selection and Composition of Public College and University Board Members</p>	
<p>Ingram Center for Public Trusteeship and Governance</p>	

But many public boards are relatively small (**less than the average size of 11 members**)

Resist calls for more “constituents” on governing boards. Key internal stakeholders—namely faculty, staff, alumni, and students—may want a seat at the board table, not only so their voices are heard but also so they can be full decision makers on the board. **Students serve on half of all public boards as voting members and on many boards as non-voting members. Faculty are voting members on only 13 percent of boards; non-voting faculty serve on an additional 9 percent of governing boards.** A designated board seat for staff is the law in only two states. Faculty, student, and staff voices are important for boards to hear, but if higher education and the states are to remain committed to citizen governance, to **the extent a board reserves seats for specific constituent interests, it fails to fully meet the test of true citizen-based governance. A more “representative” or constituent-based board may not be in the broad public interest.**

House Version (HB2115):

- Board size trimmed from 27 to 11 voting members, plus 1 non-voting student member.
- Provides for one voting student member (the Student Trustee) and one voting faculty member on the Academic Affairs & Student Success Committee of the full Board of Trustees. The student and faculty members will rotate among the campuses.
- Each 7-member campus Advisory Board reserves one seat for a student and one seat for a faculty member.
- “In making appointments, the Governor shall strive to ensure the board composition includes alumni from different UT institutions.”

Senate Version (SB2260):

- Board size trimmed from 27 to 11 members.
- Members of the overall UT Board will be appointed by the Governor and confirmed by a joint resolution, first by the Senate and then the House of Representatives. **Tighter timeline for action than House amendment:** If either House fails to confirm the appointment within 90 calendar days after the General Assembly next convenes, the appointment will be terminated.
- Appointees to the overall UT Board may be removed by a two-thirds vote by both the Senate and House of Representatives for misconduct, incapacity, or neglect of duty.
- Each 7-member campus Advisory Board reserves one seat for a student and one seat for a faculty member.
- Members of the campus Advisory Boards will be appointed by the UT System President, rather than the governor.

Both Senate and House Version:

- Commissioner of Agriculture to serve as ex-officio member.
- At least 5 members of the Board of Trustees must be alumni of the University of Tennessee.
- There will be four statutorily-created standing committees: Executive, Audit, Finance & Administration, and **Academic Affairs & Student Success**. Board has the discretion to create others as necessary.
- **On July 1, 2018, the existing UT Board of Trustees will vacate and the UT FOCUS Act transition will occur.**
- The Governor will strive to ensure the Board is composed of members who are diverse in sex, race, perspective, and experience.

SUMMARY OF AMENDMENTS (013725, 014350): Amendment 013725 deletes and replaces language of the original bill such that the substantive changes are as follows: 1. Reconstitutes the composition of the UT Board of Trustees to consist of one ex-officio voting member, 10 voting members, and one non-voting student member. 2. Sets forth selection process, duties, responsibilities, and term limits for the one non-voting student member. 3. Requires the UT Board of Trustees to establish standing committees with responsibility for oversight of Academic Affairs and Student success. 4. Deletes requirement that each advisory board shall provide a recommendation to the President of UT on the proposed operating budget.

Amendment 014350 deletes and replaces language of the bill such that the only substantive change are as follows: 1. Deletes the requirement of the UT Board of Trustees to establish a process through which each advisory board created must provide a recommendation on the proposed operating budget, including tuition and fees, as it relates to the respective institution prior to the adoption of the annual operating budget, beginning after January 1, 2019. 2. Deletes the requirement of the UT Board of Trustees to establish a process through which each advisory board shall provide a recommendation on the proposed strategic plan for the respective institution prior to the approval of the strategic plan by the Board of Trustees, beginning after January 1, 2019.

Next Assembly Meetings on Focus Act 2018

House Finance, Ways & Means Subcommittee

Wednesday, 3-14-18 Begins 9:00 AM

HB2115, Bill #68 on the agenda

<http://wapp.capitol.tn.gov/apps/schedule/default.aspx?type=house>

Senate Education Committee

Wednesday, 3-14-18 Begins 9:30 AM

SB2260, Bill #10 on the agenda

<http://wapp.capitol.tn.gov/apps/schedule/default.aspx?type=senate>