

FACULTY SENATE MINUTES

UTHSC Faculty Senate Meeting

Zoom Monthly Meeting
November 11, 2022

Attendance: (senators, administrators, and faculty)

Attending: Jillian McCarthy, Paul J Koltnow, Karen Derefinko, Terrance G Cooper, Phyllis Richey, Brett Wilson, Richard Smith, Wen Lin Sun, Emma Murray, Thaddeus A Wilson, L. Alexia Williams, Emmy Ci, Wei Li, Yi Lu, Zheng Fan, Chris Wood, Erinn Finke, Steven M Doettl, Laura T Reed, Maggie Wheeler, Alexandria Q Wilson, Kimberly Kennel, Hassan Almoazen, Stephen Pishko, Kristen Bettin, Dennis Leo, Jaqueline D Venturin, Tauheed Ishrat, Ricketta Clark, Vrushali Abhyankar, Yanhui Zhang, Andrea Edwards, Hilary Jasmin, Kimberly Carter, Shelly White-Means, Mary Erickson, Ted Cory, Vickie Baselski, Frank Park, Patricia Dubin, Ranjit Philip, Vinay Jain, Carrie Harvey, Mark A Lackey, Anne Zachry, Junaith S Mohamed, Myra M Meekins, Ioannis Dragatsis, Shaunta' Martina Chamberlin, Paddy McConville, Jeffry Bieber, Twisha Oza, Bobby Bellflower, Marcia Sharp, Maria Carrillo, Sanjay Mohan, Kevin William Freeman, Fatima Ahmed, Heather Moss, Kenneth Isimemen Ataga, Sandip K Basu, Stephen Alway, Ivan C Gerling, Anmol Brar, Keisha Burnett, Eun Jin Paek, April Hilsdon, Rebecca Reynolds, Tom Laughner, Sharon Little, Richard John Kasser, Ron Cowan, Elizabeth Hall, Kristi Forman, Cynthia Russell, Peter Buckley, Frank Lancaster.

Meeting was called to order at 4:00 pm CST/5:00 pm EST

Faculty Senate Meeting

Presiding: Dr. Jillian McCarthy, President

Approval of October 11, 2022 minutes:

- The floor was opened for discussion of the October 11, 2022 meeting minutes. No edits were recommended. Dr. Terrance Cooper motioned to accept the minutes as written. Motion was seconded by Dr. Vrushali Abhyankar
 - 39 senators responded to the anonymous poll
 - Vote was unanimous to accept minutes as written

Frank Lancaster, UT Systems General Counsel, Divisive Concepts Presentation (Addendum 1):

- Only applies to mandatory training
 - If you make a person do it to remain employed/if a student for a grade, it is “mandatory”
 - Ramifications for Non-Compliance
 - This is political not legal
 - The statute contains no private right of action
 - Noncompliance could lead to additional legislative action (like defunding programs)
 - Concern over requesting a student over implicit bias training
 - If not required, not a problem
 - If required, have the UT System’s legal team review the test you want to require
 - If you have concerns, Frank Lancaster’s office can review your materials

Bylaws Discussion (Addendum 2) and vote

- Dr. Terrance Cooper motioned to accept the bylaws as written. Dr. Rebecca Reynolds seconded
 - 45 votes poll everywhere

- Unanimous to accept as written

Committee Updates:

- Terrance Cooper provided an update from the Handbook Committee

New Business:

- None

Announcements:

- Up-coming senate meetings:
 - 12/13/22: Dr. Howard Gadlin role of an Ombuds

Dr. Terrance Cooper motioned to adjourn. Dr. Shaunta' Chamberlin seconded.

The meeting adjourned at 4:40 pm CST/5:40 pm EST.

Respectfully Submitted,

Dr. Karen Derefinko
Faculty Senate Secretary

Addendum 1 Divisive Concepts Slides

12/12/2022

Tennessee's "Divisive Concepts" Statute

Frank Lancaster

 UT Office of the General Counsel

1

Primary Prohibition

SECTION 5.

(a) A public institution of higher education shall not:

(1) Conduct any **mandatory training** of students or employees if the training includes one (1) or more **divisive concepts**.

- We need to unpack 3 key terms:
 - "Training"
 - "Mandatory"
 - "Divisive Concepts"

4

Tennessee Public Chapter 818

- Signed into law by Governor Lee on April 8, 2022
- Purpose: To address "divisive concepts" that "exacerbate and inflame divisions . . . in ways contrary to the unity of the United States of America and the well-being of this state and its citizens."

2

"Training"

- Statutory Definition: "seminars, workshops, trainings, and orientations"
- **Not** intended to cover academic instruction
 - Section 7(3): "This part shall not be interpreted to . . . [i]nfringe on the rights of academic freedom of faculty in public institutions of higher education."

5

A National Trend

We have tracked efforts in 28 states to **restrict** education on racism, bias, the contributions of specific racial or ethnic groups to U.S. history, or related topics.



3

Training ≠ Academic Instruction

Sponsor Senator Bell: "Thank you Mr. Speaker. I want to add another important difference between this and the bill that we took up last year and that we passed concerning K-12 education. In K-12 education we told teachers what they could and could not teach. Higher education employees have certain First Amendment rights that we can't tell them that they cannot teach these. So this bill is not directed at what can or cannot be taught, but it's directed at any adverse action that would take place against somebody who didn't conform to these ideas or didn't accept these ideas and concepts. So, Mr. Speaker, that's an explanation for the bill that's now amended before us."

6

12/12/2022

Tennessee Campus Free Speech Protection Act / BT0021

"An institution shall be committed to maintaining a campus as a marketplace of ideas for all students and all faculty in which the free exchange of ideas is not to be suppressed because the ideas put forth are thought by some or even most members of the institution's community to be offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed."

 Tenn. Code Ann. § 49-7-2405(a)(3).

7

"Mandatory"

- The law does not define "mandatory" => interpret the term using its normal, everyday meaning
- A Way To Eliminate Risk = Make It Voluntary

10

Training ≠ Academic Instruction

From: "Kevin Mackey" <kevin.mackey@utk.edu>

 Sent: Wednesday, October 12, 2022 9:50 AM

 To: [REDACTED]

 Subject: Re: I broke your Divisive Concepts law today in class at UT

 Obviously you misunderstand the law as having this study does not violate the law (see the applicable parts below). You do have academic freedom to teach on discrimination if that is a part of your curriculum but if you teach on something that is a divisive concept, and you teach on that subject, a student can't be penalized if they disagree with it.

 I hope this is helpful.

 Kevin

8

"Divisive Concepts"

- Focus Carefully on the Statutory Text
- **Not** on the Media Hype

11

Another Provision = No Ideological Indoctrination

(1) A student or employee of a public institution of higher education shall not be penalized, discriminated against, or receive any adverse treatment due to the student's or employee's refusal to support, believe, endorse, embrace, confess, act upon, or otherwise assent to one (1) or more divisive concepts.

9

Some You Don't Have To Think About

(1) "Divisive concept" means a concept that:

(i) Promotes or advocates the violent overthrow of the United States government;

(L) The rule of law does not exist, but instead is a series of power relationships and struggles among racial or other groups.

12

12/12/2022

Some You Might Need To Think About

- (1) "Divisive concept" means a concept that:
- (B) An individual, by virtue of the individual's race or sex, is inherently privileged, racist, sexist, or oppressive, whether consciously or subconsciously;

13

Promoting "Intellectual Diversity"

- (b) If a public institution of higher education employs employees whose primary duties include diversity, then the duties of such employees must include efforts to strengthen and increase intellectual diversity among the students and faculty of the public institution of higher education at which they are employed.

16

Exceptions

- This part shall not be interpreted to:
- (1) prohibit public institutions of higher education from sharing student or employee or confidential information of federal or state law;
 - (2) interfere with the rights or freedom of speech protected by the First Amendment to the United States Constitution;
 - (3) interfere with the rights of academic freedom of faculty in public institutions of higher education;
 - (4) disallow an employee's communication of information to:
 - (i) violate any federal or state law, rule or regulation; or
 - (ii) fail to comply with any applicable academic accreditation requirements;
 - (5) prevent an individual who services students from responding to questions regarding one (1) or more divisive concepts, so long as the response does not endorse or advocate for divisive concepts; or
 - (6) prohibit public institutions of higher education from discussing diversity, equity, and inclusion provided that such efforts are consistent with the provisions of this part.

14

Survey

- (a) Each public institution of higher education shall conduct a biennial survey of the institution's students and employees to assess the campus climate with regard to diversity of thought and the respondents' comfort level in speaking freely on campus, regardless of political affiliation or ideology. The institution shall publish the results of the biennial survey on the institution's website.

17

3 Ways There's No Problem

- If it's **not training**
- If it's training but it's **not mandatory**
- If it's mandatory training but has **no divisive concepts** in it.

15

Ramifications for Non-Compliance

- Political, Not Legal
 - The Statute Contains No Private Right of Action
 - Non-Compliance Could Lead to Additional Legislative Action

18

12/12/2022

If You Have Concerns

- OGC can review training materials of concern

19

provost.utk.edu/divisive-concepts-legislation/

Office of the Provost

Divisive Concepts Legislation: Information and Support

For more information, contact the Office of the Provost at 615-343-1234 or provost@utk.edu. You can also contact the Office of the General Counsel at 615-343-1234.

Read the University of Tennessee System and Division Office Divisive Concepts Legislation.

© 2022 The University of Tennessee System. All rights reserved. For more information, contact the Office of the Provost at 615-343-1234 or provost@utk.edu.


- **Background**
- **Division Office Divisive Concepts Legislation**
- **Division Office Divisive Concepts Legislation**
- **How to Contact the Office of the Provost**
- **How to Contact the Office of the General Counsel**

Our Principles

We will protect our faculty's academic freedom.

© 2022 The University of Tennessee System. All rights reserved. For more information, contact the Office of the Provost at 615-343-1234 or provost@utk.edu.

20



Questions/Comments?

21

Addendum 2 Bylaws

6-2-22 FSEC Approved revision of Bylaws
6-14-22 Amendment added in green
10-6-22 Correction to 6-14-22 Bylaws highlighted in yellow
10-6-22 Revisions requested by Kristi Forman highlighted in blue
10-6-22 Bylaws as approved by FSEC for distribution to Senate
10-6-22 Distributed to Handbook Committee & President for approval of the revised text
10-25-22 Distributed to all members of Senate for a vote at November Senate meeting

APPENDIX B – BYLAWS OF UTHSC FACULTY SENATE

Revised September 14, 1993

Amended February 11, 1997

Amended April 13, 1999

Amended Nov 14, 2006

Article I. Name

The name of this organization is the Faculty Senate of The University of Tennessee Health Science Center (UTHSC) (hereafter called *Faculty Senate*).

Article II. Purpose

The Faculty Senate exists to represent the UTHSC faculty as its sole elected body and to provide a systematic means for faculty participation in the affairs of The University of Tennessee.

Article III. Members

Section 1. Membership Categories

The two categories of members are voting elected and nonvoting *ex officio*. *Ex officio* members are the President of The University of Tennessee; the Chancellor of the University of Tennessee Health Science Center; the Chief Academic Officer; deans of all colleges **or the equivalent**; and presidents of the faculty organizations of the colleges or the equivalent.

Section 2. Eligibility for Membership in the Faculty Senate

Faculty members with regular full-time, part-time, or emeritus appointments are eligible to be senators. The number of senators representing a department or the equivalent is based on the total number of faculty with primary appointments in the department, excluding those with volunteer, affiliated, adjunct and emeritus appointments. Each department or the equivalent has one elected senator for every fifteen full-time faculty members (15 FTEs) or fraction thereof. In each department or the equivalent, the total number of full-time equivalent faculty members equals the sum of regular faculty members multiplied by their percentage of full-time effort.

Each college or the equivalent has at least eight elected senators. A college **or the equivalent** with fewer than eight departments or the equivalent elects the additional senators as members at large.

Administrative faculty members (division chief / department chair / or equivalent (assistant / associate dean / dean or higher administrative position) are not eligible for Faculty Senate membership.

No matter the location, all recognized departments into which faculty members are appointed will elect senators for representation on the faculty Senate as per the guidelines set forth in these bylaws. A recognized department has an assigned or appointed department Chair and is an entity into which faculty members can be legitimately appointed for purposes of tenure.

Section 3. Election of Senators and Term of Office

Senators are elected at least one month prior to the annual business meeting of the Faculty Senate for a term of three years. The term begins on July 1 of the year in which the faculty member is elected and ends on June 30 of the third year in office. A senator can serve no more than three consecutive terms. Any year that a senator serves as President of the Faculty Senate is excluded from their term (consecutive years as a Senate member) calculation. Each college or the equivalent must stagger elections so that no more than half its senators are elected annually.

Section 4. Penalties

A senator who is absent from three consecutive meetings without appointing a substitute may be removed from the Faculty Senate by vote of the Faculty Senate Executive Committee. A substitute is defined as a faculty member from that senator's electoral unit may attend in place of a Senator, provided that the Senate President is notified in writing of the proxy's identity prior to the beginning of the Senate meeting at which the proxy attends.

Section 5. Vacancies

In case of a vacancy in the Faculty Senate due to resignation, leave of absence, or other cause, the appropriate department, college, or the equivalent faculty elects a successor to serve as senator for the unexpired term.

Article IV. Officers

Section 1. Titles and Responsibilities

The four officers of the Faculty Senate are the President, President-Elect, immediate Past President, and Secretary. Their responsibilities are as follows:

President

1. Presides at all meetings of the Faculty Senate.
2. Is the chief spokesperson and representative for the Faculty Senate and faculty of the University of Tennessee Health Science Center.
3. Serves as an *ex officio* member of all committees of the Faculty Senate.
4. Prepares and presents the annual report at the annual business meeting of the Faculty Senate.
5. Requests authorization for expenditures from the Administrative unit responsible for supporting the Faculty Senate. Such requests may also be made by resolution of the

Faculty Senate Executive Committee or the full Faculty Senate. The resolution carries by a simple majority of those voting.

1. Serves to evaluate faculty grievances as described in Section 7 of the Faculty Handbook.
2. Serves as a UTHSC representative to the University of Tennessee Faculty Council.
3. Serves as a UTHSC representative to the Tennessee University Faculty Senates.

President-Elect

1. Acts as President in the absence of the President.
2. Maintains current copies of the bylaws and procedures manual on the Faculty Senate Website.
3. Assumes responsibility for the annual Faculty Senate elections.
4. Serves as chair of the Faculty Senate Grievance Committee as described in Section 7 of the Faculty Handbook.

Past President

1. Serves as an advisor to the President and the Executive Committee.

Secretary

1. Prepares and distributes meeting notices and agendas for Executive Committee and Faculty Senate meetings.
2. Prepares, distributes, and maintains the minutes of all actions taken by the Faculty Senate and the Executive Committee.
3. Prepares and presents reports as requested.
4. Maintains current lists of senators and committee members.
5. Records attendance at Executive Committee and Faculty Senate meetings.
6. Distributes updated copies of the bylaws or procedures manual to the senators whenever appropriate.
7. Assists the President-elect with annual Faculty Senate elections as needed.

Section 2. Nomination, Election, and Term of Office

Candidates for President-Elect and Secretary are nominated by the Executive Committee of the Faculty Senate approximately one month prior to the annual business meeting of the Faculty Senate. Additional nominations may be submitted to the Faculty Senate President with the support of two senators up to ten days prior to the election, allowing information for all pre-announced candidates to be electronically distributed prior to the election. The slate of candidates is submitted to all faculty senators at least ten days before the election. Nominations are also accepted from the floor prior to the election. Officers are elected by majority anonymous vote at the annual business meeting of the Faculty Senate. Confidential votes (email to the Secretary or designee) are permissible for senators connecting remotely to the Senate meeting if the technology for remote anonymous voting is not available at the time of voting. The term of office for the four officers is for one year beginning July 1 of the year they are elected and ending on June 30 of the next year.

Section 3. Restrictions on Holding Office

The President and President-Elect cannot be from the same college, **or the equivalent**. For this purpose, faculty in the basic science departments and in the clinical medicine departments of the College of Medicine are regarded as being in separate colleges.

An individual may not serve more than two terms as Faculty Senate President.
An individual may not serve more than two terms as Faculty Senate Secretary.

Section 4. Vacancies

If the office of President becomes vacant, the President-Elect fills this vacancy. If the office of President-Elect or Secretary becomes vacant for this or other cause, the Executive Committee nominates replacement candidates, and an election is held at the next meeting of the Faculty Senate. Only elected Senators or current officeholders can be elected or appointed to office.

Article V. Senate Representatives For External Organizations

Representatives to the University of Tennessee Faculty Council

Section 1. Nomination and Election

The UTHSC representative to the University of Tennessee Faculty Council is nominated and elected following the procedures described in Article IV, Section 2.

Section 2. Terms of Office

The term of office begins on July 1 of the year the representative is elected and ends on June 30 of the third year in office.

The faculty representative to the University Faculty Council will also serve as a **voting** member of the Faculty Senate and Faculty Senate Executive Committee.

Section 3. Restrictions on Holding Office

An individual may not serve more than two terms as Faculty Senate Representative to the University of Tennessee Faculty Council.

Article VI. Faculty Representative to the Campus Advisory Board

Section 1. Eligibility

Faculty members who have held full-time appointments on UTHSC faculty for five (5) or more years and have experience in at least two areas of the UTHSC mission (i.e., teaching, research, clinical care, and/or service) are eligible to be the faculty representative to the Campus Advisory Board.

The term “full-time faculty member” refers to a person whose official employment status is both “full-time” and “faculty” and who is engaged full-time in teaching, research, clinical care and/or service and who does not simultaneously hold an administrative appointment (division chief, **department** chair or equivalent, assistant, or associate dean or higher administrative position).

Section 2. Nomination and Election

Candidates for Faculty Representative to the Campus Advisory Board may be nominated by any full-time UTHSC faculty member or faculty administrator prior to the March Faculty Senate meeting. Biographical information and a statement (one page total) from each candidate must be submitted to the Faculty Senate Secretary at least twelve days prior to the April Faculty Senate meeting, thus allowing the slate of candidates to be distributed to all faculty senators ten days before the election is conducted at the April Senate meeting. The election is initially conducted following the procedures described in Article IV, Section 2. If no candidate receives greater than fifty (50) percent of the votes cast, a run-off election will immediately follow the initial election. The run-off election slate will consist of the two candidates with the highest number of votes in the first election. In the case of a tie vote in the run-off election, one of the two Representative candidates will be chosen by vote of the Campus Advisory Board. The election shall be conducted and completed no later than April 15 of the year of appointment. The term of office begins on July 1 of the year in which the representative is elected and terminates on June 30 two years later. The faculty representative to the Campus Advisory Board will also serve as a **voting** member of the Faculty Senate and Faculty Senate Executive Committee.

Section 3. Restrictions on Holding Office

The term of office for the Campus Advisory Board Representative is for two years as prescribed by Tennessee State law. A faculty member may not serve more than two terms as representative to the Campus Advisory Board.

Section 4. Vacancies

If the office of Faculty Representative to the Campus Advisory Board becomes vacant, the Governor of the State of Tennessee shall appoint a faculty member satisfying the requirement as a successor for the remainder of the term.

Article VII. Eligibility, Nomination, and Election of Faculty Representative to the UT Board of Trustees' Education, Research and Service (ERS) Committee

Nomination and election procedures for identifying the Senate candidates for faculty representative to the UT Board of Trustees' **ERS** Committee will follow the same procedures used for nomination and election of the representative to the Campus Advisory Board (Article VI Section 2). However, eligibility requirements are determined by UT Board of Trustees policies. Following the Senate election, the name of the Senate candidate and documents required by Board of Trustees policies will be forwarded to the Chief Academic Officer in preparation for a final selection by the Chancellor. In the case of a tie vote among two candidates for the post, both candidates will be forwarded to the CAO for consideration by the Chancellor.

The faculty representative to the Board of Trustees Education, Research and Service Committee will also serve as a non-voting, *ex officio* member of the Faculty Senate and Faculty Senate Executive Committee.

Article VIII. Meetings

Section 1. Regular Meetings and Annual Business Meeting

The Faculty Senate holds a June business meeting and at least five regular meetings annually. Presentation of the Annual Senate Report, Senate Awards and the election of officers occurs at the June business meeting.

Section 2. Special Meetings

Special meetings of the Faculty Senate are called by the President or Executive Committee or by written request of ten senators. A minimum notice of three days must be given for a special meeting except in an emergency. The purpose of the meeting must be stated in the call, and the meeting must be limited to the stated purpose.

Section 3. Voting and Quorum

Voting at meetings of the Faculty Senate is by show of hands or voice unless the majority present request a vote by anonymous ballot. All elections are conducted by anonymous ballot. A quorum comprises 20 (twenty) elected members of the Faculty Senate. If a senator cannot attend a meeting, the chosen substitute has all the rights, powers, and privileges of the absentee member, including voting rights. Provision should, when possible, be made for anonymous online voting for members participating at remote locations.

Article IX. Executive Committee

Section 1. Members

The Executive Committee is comprised of the elected officers of the Faculty Senate and at least one representative from each of the colleges or the equivalent. A college or the equivalent with more than fifteen departments elects an additional representative for each additional fifteen departments or fraction thereof. Faculty members who hold an administrative appointment (division chief, department chair or equivalent, assistant or associate dean or higher administrative position) are not eligible for election to the Faculty Senate Executive Committee. All Faculty Senate committee chairs are expected, if available, to attend all regularly scheduled Faculty Senate Executive Committee meetings as *ex officio* guests.

Section 2. Responsibilities

The Executive Committee nominates officers for the annual elections of the Faculty Senate, recommends members and chairs, reviews assignments to standing committees with the consent of the Faculty Senate, and establishes special committees. It represents the Faculty Senate in meetings with the administration and other campus and off-campus groups and handles emergency and interim business between Faculty Senate meetings. Specific responsibilities of the Executive Committee are as follows:

1. Implements Faculty Senate bylaws.
2. Provides oversight of goals, committee assignments, and reports.
3. Serves as the Faculty Senate liaison to the administration.
4. Provides oversight of all work performed by the senate standing committees
5. Oversees evaluation of administrators (Section 2.3.7.8).

1. Conducts faculty grievances. (Counsels, arbitrates, or intercedes on behalf of faculty, as described in the *Faculty Handbook*.)
2. Assists in recruiting and screening administrators for campus or system appointments. (Lends its counsel to the development of criteria and procedures for recruiting and screening candidates and assists in the selection of its faculty representatives on search committees.)

Section 3. Election and Term of Office

Each Executive Committee member representing a college, or the equivalent is elected for a term of one year, beginning July 1 of the year in which the member is elected and ending on June 30 of the following year. The election is conducted in a face-to-face or online meeting of the faculty senators who represent the college or the equivalent. The current FSEC member(s) from that college, **or the equivalent** serve as chairperson(s) of the meeting. This election should be held during the month preceding the annual election of Faculty Senate officers.

Section 4. Vacancies

Vacancies on the Executive Committee occurring during the term of office are filled for the unexpired portion of the term by election at a meeting of the faculty senators who represent the pertinent college or the equivalent.

Article X. Committees

Section 1. Standing Committees

The Executive Committee of the Faculty Senate appoints the members of the standing committees for confirmation at a regularly scheduled meeting of the Faculty Senate. All members of the standing committees are elected faculty senators with the goal of representing as many colleges, **or the equivalent** as feasible on each committee. Committees are free to invite other faculty or administrators to attend committee meetings. The chair of each Committee will, in consultation with the FSEC, select a vice-chair to serve when the chair is not available. It is a specific responsibility of each Committee chair to mentor the vice-chair and other members of his/her committee to facilitate their assuming future roles as Senate leaders.

Section 2. Special Committees

The Executive Committee appoints special committees when the need arises.

Article XI. Parliamentary Authority

Section 1. Parliamentarian

A Parliamentarian is appointed annually by the President and approved by the Faculty Senate.

Section 2. Reference for Rules of Order

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* only govern balloting procedures in the Faculty Senate and Faculty Senate Executive Committee. Robert's Rules may be used to govern all other portions of these meetings if called for by a majority vote of those present at the meeting.

Article XII. Amendment of Bylaws

These bylaws may be amended by an anonymous vote of two-thirds of the elected members of the Faculty Senate present at any regular or special meeting. Proposed amendments must be distributed in writing to the faculty senators at least ten days in advance of the meeting and discussed prior to voting.

Article XIII. Enabling Resolution

The enabling resolution for the Faculty Senate of the [University of Tennessee Health Science Center] was passed by the Board of Trustees of The University of Tennessee in September 1971. This enabling resolution represents the constituting document under which the Faculty Senate was established and currently operates.^{Footnote 1}

RESOLUTION

FACULTY SENATE OF THE [UNIVERSITY OF TENNESSEE HEALTH SCIENCE CENTER]

Whereas the separate Faculties of [The University of Tennessee Health Science Center] have exercised through faculty meetings and committees of the several colleges certain functions related to the development of the educational policies of the University;

Whereas these functions can be more effectively performed through a smaller, more formally organized group than the Faculty as a whole; and

Whereas a need exists for more effective channels through which the Administration may seek the counsel and judgment of the Faculty about matters of concern to the University;
It is therefore resolved that a Faculty Senate of the [University of Tennessee Health Science Center] be organized, subject to the following stipulations:

1. That the Senate operate in accordance with the bylaws which are hereby approved;
2. That the Senate include authorized administrative officers of The University of Tennessee Health Science Center and of its various academic divisions;
3. That the Senate include elected representatives from each academic division, to be elected in such numbers and by such means as are set forth in the Bylaws.
4. That the Senate may consider any subject pertaining to interests of the [University of Tennessee Health Science Center] and make recommendations to the Chancellor and the Board of Trustees in regard thereto. Decisions of the Senate with respect to matters within its jurisdiction shall constitute the binding action of the [UTHSC] faculties. Jurisdiction over academic policies shall reside in the faculties of the several schools and colleges; but, insofar as actions by these several faculties affect [UTHSC] policy as a whole, or schools or colleges other than the one in which they originate, they shall be brought before the Senate.

1. That the Senate shall elect annually a Committee on Committees which shall make nominations for elective members of such educational committees as the bylaws may provide and such other committees as the Senate may authorize, and that following such nominations the Senate shall elect such committees;^{Footnote 1}
2. That the Senate shall have no management or administrative functions either in itself or through its committees, administrative matters being expressly reserved to the Chancellor of the [UTHSC] and the President of the University, as delegated by the Board of Trustees;
3. That a copy of this resolution be appended to the Bylaws, and be considered a part of the constituting document of the Faculty Senate of [UTHSC].

Footnote 1: All responsibilities of the earlier Committee on Committees are performed by the Faculty Senate Executive Committee.