



**UNIVERSITY FACULTY COUNCIL**  
**Meeting 115**  
**15 May 2019**  
**3:00 pm (CT) / 4:00 pm (ET)**  
**Videoconference**  
**MINUTES**

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

<b>UTHSC</b>	<b>George Cook (Faculty Senate President)</b>	<b>Absent</b>
	<b>Phyllis A. Richey (Campus Representative)</b>	<b>Present</b>
<b>UTK</b>	<b>Misty Anderson (Faculty Senate President)</b>	<b>Present</b>
	<b>Bruce MacLennan (Campus Representative)</b>	<b>Present</b>
<b>UTM</b>	<b>Renee LeFleur (Faculty Senate President)</b>	<b>Present</b>
	<b>Chris Caldwell (Campus Representative)</b>	<b>Present</b>
<b>UTC</b>	<b>Steve Ray (Faculty Senate President)</b>	<b>Present</b>
	<b>Beth Crawford (Campus Representative)</b>	<b>Present</b>

<b>Education, Research and Service Committee (ERSC)</b>		
	<b>Bonnie Ownley (Board of Trustees ERS Committee Faculty Appointee)</b>	<b>Present</b>
<b>UT Faculty Council Ex-Officio Non-Voting Members</b>		
<b>UT</b>	<b>Randy Boyd (System President)</b>	<b>Absent</b>
	<b>Linda Martin (System Office of Academic Affairs and Student Success)</b>	<b>Absent</b>
<b>Faculty Council Guests</b>		
	<b>Jorge Pérez (Associate Vice President, AA&amp;SS)</b>	<b>Present</b>
	<b>Peg Hartig (UTHSC)</b>	<b>Present</b>
	<b>Lela M. Young (System Associate General Counsel)</b>	<b>Present</b>
	<b>Jeff Rogers (Incoming Faculty Rep on ERS)</b>	<b>Present</b>

Meeting called to order at 4:05 ET by Bruce.

Phyllis moves to approve previous meetings minutes. Renee seconds. Motion was approved unanimously.

Lela Young began a discussion regarding the length of probationary period.

Bruce had sent UFC members some material regarding this. He gave background, stating that at one point we were told it is an IRIS problem, then we were told it was not, but that it was a legal problem instead. That is why Lela was invited to explain this to us. The question proposed was “Why do we have to do this contorted work around—why can’t we just pull it back a year?”

Phyllis had a point of clarification, saying that this was discussed in their faculty senate. “Regardless of whether it is an IRIS thing or not,” she said, “the issue is reverting back to the originally set tenure clock after an extension or suspension of the tenure clock, recognizing there is a difference between the two.” Lela responded, “I understand why it feels like it should be reversible. In case the material Bruce sent was not clear she explained as follows: the third page is just a graphic representation of the tenure review process that she prepared that went to the BOT as an informational item—to show them how complex and involved it is and how many different levels of evaluation faculty goes through. It was included in the material so that we would know what they have seen.

Lela explained the difference between extension or suspension. “Before a tenure clock can be suspended, it has to be requested and approved,” she said. “In order for the suspension to be meaningful, the faculty member should not be accountable for the suspended year. You should be evaluated as if that year did not exist. There is no way to undo that year because all years are based on a shortened time frame. The board feels strongly that six years are important for reviews. Early tenure cases that are truly early, meaning they haven’t served six years, those cases will go to the board.”

Phyllis responded, “When we are talking about a suspension of the tenure clock for whatever reason (not extension), the reason it can’t be reverted back, is because all the materials that will be reviewed for the tenure decision will be based on evaluations that were done considering that that year did not exist.”

Lela confirmed that this was correct. She said, “If we start evaluating some members on four years and some on five years of performance, that creates an inequity. Also some members do work during the suspension and they get credit for it, but they are not harmed by any lack of productivity—they are held harmless for that year, but can look really good if they actually do produce during that year.”

Phyllis summed this up, saying, “You are trying to normalize the playing field for all so that it is solely based on the length of time.”

Phyllis then asked, “In the hypothetical—what if an evaluation did not occur? If there was a suspension, but the reason for the suspension disappears and a year passes and an evaluation did not happen. Can you then revert?” “I would think so—theoretically,” Lela responded. “We would have to look at what had actually happened. I don’t know why it wouldn’t be possible,

but I can't speak for the administrators." Lela continued, "The idea is to make flexibility for the faculty member."

Phyllis said, regarding the six year clock, "Here (UTHSC), more often than not, faculty are receiving their appointments with their contract saying they will come up for review in 2 years, 3 years, 4 years, so it is already shortened." Lela replied that "those shouldn't be happening anymore. I have not seen any new appointment letters with those." Phyllis said that "there have been several in the last five years." Lela replied, "Yes, but not since March of 2018. Those people are grandfathered in who have contracts before the new policy."

Lela said that an extension does not happen until the 5<sup>th</sup> or 6<sup>th</sup> year. It is often limited to a procedural error, but UTK has a proposal to broaden that. (Lab restart up i.e.—not something that the faculty has any control over). Because that happens at the end, then undoing it does not become a problem.

Phyllis gave an example of a UTHSC junior faculty member that was given extra duty assignments (non-administrative) and was granted an extra year. Phyllis said that the faculty member would like to return to her original tenure clock. Lela thought she could do that, but noted that she did not have all the details of the particular faculty member with her.

Phyllis said, "I was under the impression that on all UT campuses, if you go up for early tenure, it's not a matter of an extra hoop at the end of the road, but all the way along the process you are held to a higher standard."

Lela noted that the instructions from the BOT say that each campus should come up with clarification on how they will handle the early tenure applications. "My understanding is that there is some variation," she said. "At UTK you have to get some sort of permission to go up early. How that works out is handled on each campus and in their handbooks. All the Board of Trustees says is that there is an extra layer of review—mostly on the administration to make sure they are sending up qualified people."

Phyllis asked, "If a scenario like this comes into play, it should be decided on campus since they are the ones putting the extra requirements on the faculty member?" Lela responded, "If mid cycle reviews have been performed so that the record is different because of suspension, it would be difficult to unwind. If that hasn't happened, and the only barrier they receive is the campus requirements, the campus could potentially waive a requirement in bylaws, but not in the Board of Trustees approved faculty handbook. In theory, the goal is that the faculty member gets more flexibility and not less."

Peg asked, "What about folks who are eligible for promotion, but wait for tenure?"

Beth noted that UTC has tied tenure and promotion to associate professor together.

Peg said, "It often happens on this campus (UTHSC), but it isn't set in stone."

Lela pointed out that “the BOT policy doesn’t speak to promotion. That is a matter of faculty handbooks.”

Everyone thanked Lela for joining us and for providing a logical explanation of reverting suspensions and extensions.

Phyllis asked if we could share the document Bruce sent us from Lela. Bruce said, “We can check. We should get permission to share her graph.”

Phyllis said, “the graph is an excellent representation of everything the faculty member goes through before the BOT even sees their materials.”

Bruce shared three announcements:

1. We will choose a new chair of the UFC at the next meeting.
2. We also will be approving our calendar for next year, so Bruce will put it together. The bylaws say we don’t have to meet every month. The bylaws say “regular meetings of the UFC shall occur three times a year.”
3. Please submit campus reports for the June meeting so that we can read those in advance and not spend a lot of time in the meeting going over them.

Bruce introduced the next item on the agenda concerning a potential meeting with the Board of Trustees.

Bonnie said, “We talked about a meeting and Linda passed on the message. We discussed various things that each campus wants to put forward—perhaps one issue per campus—i.e. Doing more for graduate education at UTK. Are we still thinking that would be a good idea—an informal meeting or meeting with the ERS Committee?” Misty said, “Yes. Definitely.” She took careful notes of what each campus presented in the last meeting. She can put together a slide show for everyone for a 30-45 minute slide show for the Board of Trustees.

Discussion continued about getting some information from Donnie Smith. Jorge said he would reach out to Linda, but also thought it would be a good idea for Bonnie to contact Donnie.

Bruce said Misty will put these issues together in a slide show and that we are waiting on a time slot.

Bruce introduced Jeff Rogers as our new representative on the ERS committee.

Bruce turns discussion over to Misty for the next information item:

UTK Resolution on training for evaluators of faculty performance: <http://senate.utk.edu/wp-content/uploads/sites/16/2019/04/Resolution-on-NTTF-Evaluation-Training.pdf>

Misty said this resolution underscores the need for faculty evaluators to have information regarding old and new policies, particularly regarding non-tenure-track faculty. This is non-controversial. It passed unanimously and is short and sweet. Bruce added that perhaps it could be a model if other campuses want to do something similar.

Jorge said that in his academic affairs update he pointed out that Linda worked with UTIA and UTK and he met with department heads at UTC. “This is part of a national trend to greater accountability,” he said. “It seems to me that department heads at UTC were very open to training and being made more aware of expectations regarding faculty evaluations. Evaluations should be continually improving.” Beth concurs about UTC’s department heads’ receptivity. Jorge said they plan to do workshops on other campuses as well.

Bruce asked if there was any expectation that all evaluators will go to these workshops. Jorge replied, “Maybe not an expectation, but a hope. We need to level out the variability in dossiers and evaluations, regarding depth of evaluation. I have a feeling that next year the bar will be higher.” Jorge added, “Speaking personally, if I (as a faculty member) am being evaluated and get a truncated or simple response from the dean, I feel cheated. I want every level to review and make the case.”

Misty said, “We have to put deans on notice here as well. They have to catch bad processes at departmental levels. Sometimes these are due to turnover of department heads. The deans have to catch this.”

Jorge said he would talk to Linda about capturing the training in video form as well. Phyllis said, “I would take it a different step. There are so many things we have to do on an annual basis to keep our network privileges—FERPA, HIPPA, etc. Why not do this with faculty evaluators? Make it where they have to check the box.” Bruce replied, “My concern is that it will be like the other training in that you can go through those videos mindlessly to check it off.” Phyllis suggested that video training might not be the primary delivery, but supplemental.

Renee said, “There needs to be consequences for heads and deans who do bad evaluations. Or who turn in evaluations late. What consequences are there? We can do all the training we want, if there is no stick, then I worry about that.” Jorge said, “I mentioned this in Chattanooga—there have to be expectations all the way up the chain of command. It has to start at the Chancellor, then the CAO. If there are no consequences, then we will not actually improve. It’s a cultural issue.”

Misty said, “In my last meeting with my provost, I asked, ‘based on last evaluations, how many department heads were put on review?’” Phyllis added, “In light of the PPPR, I was led to believe that the PPPR was going to allow an opportunity to confirm that the evaluations were

being done correctly. But that isn't really the way it turned out, because there were no consequences for the evaluator. The UFC should take this up again—where are the consequences?"

Phyllis asked about the resolutions we voted on. Bruce confirmed the IRIS resolution was thrown out, and the other was approved through the email vote.

Bruce reads the resolution "Recommending Mandatory Training for Evaluators of Faculty.

Phyllis said she would like the resolution to be limited to "annual evaluations" not "faculty evaluations." She added that this would clarify that we are talking about administrators, not PNT committee members.

Bruce asked, "Should we reformulate the resolution?"

Jeff asked, "Why wouldn't everyone, including faculty, be required to take training? Faculty have a huge role in the process." Phyllis replied, "We are really trying to focus on the process of annual evaluations. Maybe that is a different resolution."

Bruce said, "In a sense this resolution was directed at those that have a formal supervisory role over faculty." "And have control over merit pay," Phyllis added. "I would like this to remain separate." Bruce suggested we should consider PNT committee training separately. Jeff concurred that it might be an interesting resolution for later.

Bonnie noted that at UTK, there are opportunities for training.

Bruce said, "In regard to the other resolution, we can vote now to leave it up to me (Bruce) to put 'annual' in at appropriate places or I can edit and send out for another vote." Phyllis proposed a motion that Bruce make the edits and send them out to everyone for another vote. Bonnie seconded. There was unanimous approval for Bruce to edit and send out for second vote.

Bruce turned it over to Bonnie to introduce the voting resolution.

Bonnie said that everyone was probably familiar with the resolution. Everyone agreed.

TUFS Resolution Supporting Early Voting Polling Places on College Campuses:

<http://senate.utk.edu/wp-content/uploads/sites/16/2019/04/TUFS-polling-place-resolution.pdf>

Misty said she hopes that each campus will pass a non-modified version of this.

Renee said that “this really doesn’t apply to UTM. Our voting places are literally steps away from our campus.” Bonnie noted that the resolution was done to help those campuses that do not have those kind of opportunities. “We also have some close voting places,” she said, “but we want to support others. Renee pointed out that if the resolution said “if necessary,” it might be better for UTM. Phyllis said, “We (UTHSC) are a non-residential campus. It’s really not an issue that the UTHSC feels it needs to take up.” Peg added, “It’s not just that they are not on campus. I have students in Arkansas and Mississippi, so it doesn’t really apply to our campus.” Phyllis noted that “a relatively small percentage of our students are actually on our campus.”

Bruce moved discussion on to the next item regarding a gender analysis study.

Bonnie said their senate has been doing a gender analysis study. The last time it was done was in 2015. “We had a math professor do it and the results were published,” she said. “We found that women were making 80 cents on the dollar. We are trying to get the campus to do an analysis since the system is more interested in how it relates to peers. The campus found that it is 83 cents on the dollar. Compared to 2009 data, the difference is significant. The 2019 data is not significant at the 5% probability level because of noise in the data. They started looking at colleges. At two, they had significant differences. They are going to dig further into departments and make corrections.” She added, “When we finish it, we can share our process with others who might want to use it. This is just being done for tenure track and tenured faculty. After this is completed they can try to study non-tenure track faculty. Non-tenure track is a lot more complicated.”

Bonnie continued with some analysis of the data. “If you look at ranks at the assistant and associate level, you don’t see much difference,” she said. “But you see a larger difference at the full professor level. Previously, you could negotiate starting salaries more. AT UTK we are 50/50 at Assistant. 40 female/60 male at Associate. 25 female/75 male at Full. They also included the governor’s chairs in this. Out of 14 or 15 of them, only one is a woman. We have full support of the UTIA Chancellor and the UTK provost to make corrections. The salary pool this year should be used to make adjustments.”

Phyllis said that UTHSC has “a real problem with compression. New faculty members are hired at a higher level.”

Bonnie said, “The only college at UTK that doesn’t have compression is the law school. They don’t allow new faculty to be paid at a higher rate than existing faculty.”

Phyllis said, “One of the key factors that comes into play is the new style of negotiating faculty contracts. They bring in new faculty with the promise of exorbitant salaries in the first couple of years with the agreement that in three years they will bring in 75-80 % of that in grant money. What does that do to retention? Not a lot.”

Bruce asked, “What is being done on other campuses?”

Phyllis said, “Our CEO has an examination under way.”

Steve said that at UTC “there have been some adjustments made and our Budget and Economic Status Committee is working on a study that includes gender with our CFO.”

Renee said that “at Martin, we have such an issue with market, when you compare our salaries to market, that that’s been our focus more than gender equity.”

Jorge gave updates from Academic Affairs and Student Success. He noted that the English Summit in Nashville was really well attended and well received. He also said that the Skyhawk Retention Summit was very successful at UTM. It had over 200 participants from the region. “Some fantastic ideas and potential collaborations came from it,” he said. He noted that the Student Success Leadership Team met in Nashville two weeks ago. They talked about the NASH leadership project which proposes a seamless transfer from one campus to another. He also noted that “as a system, we will be moving into more online e-learning options.”

Bruce asked what issues were focused on at the English summit. Jorge said that “everything was up for discussion. Enrollments are down in English departments nationwide, so we talked about that—specifically growth areas such as curriculum and marketing.”

Bruce dismissed the meeting at 5:49 ET.