



## Tennessee University Faculty Senates (TUFS)

*Representing over 10,000 united university faculty at ten state institutions of higher education*

**TUFS MEETING, March 30 – April 1, 2012**

**Hotel  
Martin, Tennessee**

### **MEMBERS PRESENT**

<b>Institution</b>	<b>Voting</b>	<b>Additional Delegation</b>
Austin Peay State University	Jack Deibert	Elaine Berg
East Tennessee State University	Thomas Schacht	Randy Byington
Middle Tennessee State University	Alfred Lutz	
Tennessee State University	Elaine Busey	
Tennessee Technological University	Jeffrey Roberts	
University of Memphis	Lawrence Pivnick	Thomas E. Banning, Jeffrey S. Berman
University of Tennessee-Chattanooga	Victoria Steinberg	Lyn Miles
University of Tennessee-Knoxville	Vincent Anfara	Toby Boulet
University of Tennessee-Martin	Mike McCullough	Robert Namey
University of Tennessee-UTHSC	George Cook	

### **GUESTS**

Chancellor Tom Rakes, University of Tennessee-Martin  
Senator Roy Herron (D-District 24)  
Representative Andy Holt (R-District 76)

### **OFFICERS**

Toby Boulet, President  
Jeffrey Berman, Past-President  
Tom Schacht, President-Elect  
H. Lyn Miles, Secretary

## **ACTION SUMMARY**

1. TUF member Senates must report their vote regarding the TUF resolution on academic freedom for faculty governance.
2. TUF will discuss at the August 2012 meeting in Memphis, the development of one or two pieces of possible legislation for the introduction of bills, and by October 1 action by the member Senates.
3. The TUF Executive Committee will update the table of resources for each member Senate and make it available on the TUF website.
4. TUF Executive Committee will draft an invitation to member Senates to participate in a TUF Exchange Program to host visiting graduate students or faculty from other campuses, as arranged by each institution.
5. TUF member Senates will inquire of their higher administration what portion of faculty is currently in the following categories: tenure track, instructional non-tenure track, clinical non-tenure track. Further, they will inquire as to the target numbers for instructional non-tenure track.
6. The next TUF meeting will be on August 3-5, 2012 at the University of Memphis in Memphis, Tennessee.
7. H. Lyn Miles was elected as President-Elect of TUF and will continue serving on the Executive Committee. Randy Byington will assist with the TUF Minutes with the provision that the minutes will be recorded and transcribed.
8. TUF Senates will provide information to the Executive Committee regarding the process of evaluation of administrators on each campus. The Executive Committee will post this information on the TUF website.
9. TUF Senates will provide information to the Executive Committee regarding how policies are generated on each campus; what sanctions or consequences are there when policies are violated; how policies are policed, maintained, archived, and altered or revised.

## **MINUTES OF THE MEETING**

**FRIDAY, MARCH 30, 2012**

### **1. CALL TO ORDER**

The meeting was called to order by President Toby Boulet at 5:00 PM.

### **2. INVITED GUEST: CHANCELLOR TOM RAKES, UT-MARTIN**

Chancellor Rakes welcomed the TUFS representatives, described UT-Martin, and expressed his views on faculty governance.

*The meeting was suspended for dinner at 6:00 PM and resumed at 7:30 PM.*

### **3. INVITED GUEST: SENATOR ROY HERRON (D-DISTRICT 24)**

State Senator Herron described his political career and made candid remarks about how TUFS members and Tennessee higher education faculty, in general, could play a strong role in state politics and in liaison with the Tennessee legislature.

*The meeting was suspended at 9:30 PM and resumed the next morning.*

**SATURDAY, MARCH 31, 2012**

### **4. CALL TO ORDER**

The meeting was called to order at 9:00 AM.

### **5. GUEST SPEAKER: REPRESENTATIVE ANDY HOLT, DISTRICT 76**

Representative Holt described his education and political career. He supported the legislative Lottery Task Force position that a student's ACT or GPA qualifying score will yield a 2-year scholarship, while qualifying scores in both ACT and GPA will yield 4 year scholarship. He emphasized that TUFS should contact legislators about current legislation and making relationships, stating, "Everything we do is based on relationships." Holt further stated that faculty should schedule personal visits to legislators, followed by personal email, calls, and letters. Limit remarks to bullets and boldface on 1 page. The best time to introduce new legislation is in August and September. Higher education funding is best addressed at the governor's level because of control of the budget.

### **6. APPROVAL OF THE AGENDA**

The meeting agenda was approved by acclamation.

### **7. APPROVAL OF THE AUGUST 2011 MINUTES**

Jeffrey Berman moved, and Vice Anfara seconded approval of the August 2011 minutes. The minutes were approved by acclamation.

### **8. PRESIDENT'S REPORT**

TUFS President Toby Boulet presented his President's Report (Appendix). Motions passed about academic freedom for faculty governance at various campuses were discussed, especially at ETSU where a tenured faculty member was dismissed because of having posted comments critical of ETSU on

twitter.com. President Boulet reminded each representative that their Senates must vote up or down on the TUFSS resolution on academic freedom for faculty governance, and report the results to the TUFSS Secretary. He noted that APSU, ETSU, UTC had already passed the resolution.

## **9. SENATE REPORTS**

Reports from the Faculty Senates of member campuses were presented (Appendix).

*The meeting was suspended at 11:45 for lunch and entertainment on the UTM campus, and resumed at 1:30 PM.*

## **10. EMERGING ISSUES**

President Boulet listed a number of “emerging issues” in Tennessee higher education:

1. Student grade appeal rights (APSU)
2. Adjunct pay (APSU)
3. Academic freedom (ETSU)
4. Presidential searches (investigation of candidates, placing faculty on the committee, search firm procedures, calendar, faculty rank ordering of candidates for search committee, open meetings law prohibition of secret ballots, faculty-related questions to each candidate, charging candidates fees for search firm consideration, spouse role, lack of deadlines for applications) (ETSU)
5. Legislative advocacy for “back pay” bill (ETSU)
6. IT issues (ETSU)
7. Salary equity plan (ETSU)
8. Academic misconduct policy: students’ right to appeal grades when grade is a penalty for plagiarism (MTSU)
9. Faculty lack of involvement in student enrollment management policy (MTSU)
10. Job titles for nontenure track faculty; “professor” limited to tenure track (MTSU)
11. Presidential search (TSU)
12. Reorganization (TSU)
13. Evaluation of administrators (TSU)
14. Provost turnover (TSU)
15. How policy becomes policy re catalogue (TSU)
16. Presidential search (TTU)
17. Promotional pay raises (TTU)
18. Custodial outsourcing (TTU)
19. Safety of campus environment in certain buildings (TTU)
20. Lobbying the legislature (TTU)
21. Amending Faculty Senate Constitution by electronic vote (UMEM)
22. Tenure clock (UMEM)
23. Access to library resources (UMEM)
24. Amending the Faculty Handbook (UMEM)
25. Ombudsperson (UMEM)
26. Academic freedom (UMEM)
27. Termination of tenure & demotion (UMEM)
28. Faculty lounge/meeting place (UMEM)
29. Budget issues (UMEM)
30. Extra-compensation for external vs. internal instructors (UMEM)
31. Birth/adoption leave (UMEM)

32. Approval of instructor titles following mergers (Lamberth & U Memhis) (UMEM)
33. Lack of faculty involvement in development of academic integrity policy (UMEM)
34. Creation of Senate budget (UTC)
35. Harman case followed by the dean being replaced (UTC)
36. Academic misconduct exercise – generated by faculty (UTC)
37. Policy on faculty leave, course banking and extra-service pay (UTC)
38. Legislative & Leadership Award (UTC)
39. Faculty Handbook revision (UTHSC)
40. Merit pay for faculty and administrators (UTHSC)
41. Upward evaluation of administrators (UTHSC)
42. Employee engagement survey – shared governance, open administration (UTHSC)
43. Benefits equality “plus 1” policy (UTK)
44. Office of General Counsel review of “best practices” has resulted in a third document of recommended “Resources” provided by Faculty Senate which will not require GC review (UTK)
45. Academic freedom for faculty governance (UTK)
46. Growing Faculty Senate leadership to identify president-elect candidates & program evaluation (UTK)
47. Non-tenure track faculty at UT Institute of Agriculture (UTK)
48. Senate Newsletter & Blog (UTM)
49. Faculty Handbook revision (UTM)
50. Class size (UTM)
51. UCW union on campus (UTM)
52. Studying cost of reducing faculty teaching load (UTM)
53. Equity & diversity officer will discuss with Faculty Senate (UTM)

*The meeting was suspended for a mid-afternoon break at 2:40 and resumed at 3 PM.*

From this list of 53 items, the following items were prioritized:

#### **A. Interaction with Tennessee General Assembly**

TUFS members discussed the process by which we might discuss higher education, provide feedback on bills, and propose legislation to the General Assembly. Issues considered were the timing of TUFS meetings, possibility of virtual meetings, past testifying of the TUFS Executive Committee before the Joint Education Committee, what actions might be sanctioned, what authorization might be necessary, academic freedom protection for faculty governance, proactive versus reactive approaches, and other aspects of addressing legislation on higher education and faculty.

#### **Motion 1**

Jeffrey Berman motioned, Tom Schacht seconded, that the August 2012 meeting of TUFS discuss the development of one or two pieces of possible legislation for the introduction of bills, and by October 1 action by the member Senates. Tom Schacht called the question. The motion carried unanimously.

Members clarified that any Senate member could propose such legislation and drafts would be sent to the Executive Committee to be added to the Agenda. The members discussed possible legislative ideas, details of the procedure, and a tentative list of TUFS guiding principles, to be drafted by the Senate leadership of UTM, UTC, and UTK.

## **B. Growing Faculty Senate Leadership**

### **Motion 2**

Jeffrey Berman moved and Tom Schacht seconded, that the Executive Committee would update the table of resources available to each Senate and make it available on the website. The motion passed unanimously.

## **C. Exchange Program**

The proposed TUFs Exchange Program is presented in the Appendix in which TUFs would be a clearing house for exchanges or visiting relationships that would be worked out by the participating institutions.

### **Motion 3**

Lyn Miles moved, and Mike McCoullough seconded, that TUFs draft an invitation to member Faculty Senates to participate in a TUFs Exchange Program to host a visiting graduate student or faculty member from another TUFs institution for one or two semesters for collaborative research. The motion passed: 8:2:0.

## **D. Academic Freedom**

The erosion of faculty governance in writing the *Faculty Handbook* for each campus was noted over recent decades. Members discussed ways to increase faculty governance and input into the *Handbook*.

## **E. Increasing Contingent (Nontenure Track) Faculty**

Tom Schacht moved that that member Senates encourage each Faculty Senate President to ask their campus administrations to establish targets for contingent nontenure track faculty. Following discussion Schacht continued to encourage member Senates to take this step, but withdrew the motion.

### **Motion 4**

Lawrence Pivnick moved, and Mike McCullough seconded, that member Senates ask campus administrations what portion of faculty is currently instructional nontenure track, what is clinical nontenure track, and is there a target for instructional nontenure track. The motion passed unanimously.

Berman moved suspension of the meeting until 9 AM the next day. The UT representatives then caucused regarding their proposed candidate(s) for TUFs President-elect.

*The meeting was suspended at 4:45 PM, and resumed at 7:45 PM.*

## **10. EMERGING ISSUES (CONTINUED)**

TUFs members continued to discuss the emerging issues in broad terms.

*The meeting was suspended at 9:30 PM and resumed the next morning at 9:00 AM.*

## **SUNDAY MORNING, APRIL 1, 2012**

## **11. DATE/LOCATION FOR AUGUST 2012 MEETING**

Tomas Banning offered the University of Memphis August 3-5, 2012. Tom Banning and Jeffrey Berman described the tentative speakers and plans.

### **Motion 5**

Robert Namey moved, and Jack Deibert seconded accepting Memphis' invitation to host the next meeting.

## **12. ELECTION OF OFFICERS**

### **Motion 6**

Jeffrey Berman moved, and Victoria Steinberg seconded, conducting the elections first. President Boulet announced that the two candidates for President-Elect were H. Lyn Miles and Mike McCullough and allowed the candidates to make any remarks. H. Lyn Miles was elected as President-Elect. With no nominations or volunteers for Secretary, Randy Byington volunteered to assist with the Minutes with the provision that the minutes would be recorded and transcribed by ETSU staff.

## **13. WRAP-UP OF REMAINING BUSINESS**

### **A. Evaluation of Administrators**

TUFS members described evaluation of administrators on several campuses. Issues discussed included annual evaluations of administrators; lack of transparency and feedback of ratings; making full results and all comments available which encourages faculty input; inclusion of evaluation of administration as included in open personnel legislation; disclosure issues.

### **Motion 7**

Jeffrey Berman moved, Tom Schacht seconded, that TUFS provide information from member campuses regarding the process of evaluation of administrators so the Executive Committee can post them on the TUFS website. Randy Byington called the question. The motion passed unanimously.

### **B. Budget**

TUFS members discussed budget issues including funding of a library, tuition increases, budget processes, governor's budget, governor's provision for salary equity, use of QEP mandates.

### **C. Salary equity**

TUFS members discussed how salary equity issues are formulated and the role of Faculty Senates. Issues discussed included the role of state funding. ETSU reported that shared governance requires the Senate communicating freely with its constituents. The Senate President has a list-serv of all faculty and can independently post email to faculty only, and sent faculty salary information to all faculty with questions. The questions were used as discussion points with the administration with a copy provided to the faculty. The results indicated that nearly 40% of faculty were considering leaving based on salary. This list indicated the level of discontent on campus directly to the higher administration not filtered through deans and department heads/chairs.

### **D. Academic misconduct policy**

Members discussed academic misconduct policies.

### **E. Amending the Faculty Handbook**

Members discussed means to amend the Faculty Handbook on their campuses.

### **F. How policy becomes policy? Are policies in the catalogue inviolate?**

**Motion 8**

Victoria Steinberg moved, Jack Deibert seconded, that the Executive Committee gather information regarding where policies come from and consequences when policies are violated. Jeffrey Berman proposed an amendment to add how the policies are policed, maintained, archived and altered. The motion passed unanimously.

**G. Guns on Campus**

A discussion of guns on campus was conducted.

**14. ADJOURNMENT**

Jeffrey Berman moved, and Tom Schacht seconded, for adjournment. The motion passed by acclamation. The meeting was adjourned at 10:45 AM.

**Respectfully submitted,**  
**H. Lyn White Miles (UTC), Secretary**



## APPENDIX 1 AGENDA



## Tennessee University Faculty Senates (TUFS)

Representing over 10,000 united university faculty at ten state institutions of higher education  
[www.memphis.edu/tufs](http://www.memphis.edu/tufs)

### AGENDA

TUFS 7<sup>th</sup> Bi-Annual Meeting  
Carnegie Hotel, Johnson City, Tennessee  
August 12-14, 2011

#### Friday Evening, August 12

- 6:00 PM Pre-Meeting Dinner (Wellington's restaurant, Carnegie Hotel)  
7:15 PM Initial Evening Session  
Invited Guests: Paul Stanton, President, ETSU  
Howard Bunsis, National Secretary-Treasurer, AAUP

#### Saturday Morning, August 13

- 9:00 AM Approval of Agenda and March 2011 Minutes  
9:15 AM Reports of the Senates  
10:30 AM *Break*  
10:45 AM Reports of the Senates (continued)  
11:30 AM Best Practices for Faculty Senates  
12:30 PM *Lunch*

#### Saturday Afternoon, August 13

- 2:00 PM Faculty Handbooks  
3:30 PM *Break*  
3:45 PM New Business  
4:45 PM UT Caucus for TUFS President-Elect  
5:15 PM *Dinner*

#### Saturday Evening, August 13

- 7:15 PM Legal Issues on Our Campuses

#### Sunday Morning, August 14

- 9:00 AM Date and Location for April 2012 Meeting  
9:15 AM New Business & Wrap-Up  
10:15 AM Election of Officers  
10:45 AM Adjournment

## APPENDIX 2 FACULTY SENATE REPORTS

### AUSTIN PEAY STATE UNIVERSITY

(Jack Deibert, Faculty Senate President)

- **Salary Compensation Plan**  
Continued to provide input for implementing a university-wide salary compensation plan. Advocated for the ability to utilize more funds toward implementing the compensation plan.
- **Faculty Retreat**  
The first ever Faculty Retreat, sponsored by the Faculty Senate, was held.
- **Training of New Senators**  
New senators were oriented at the first Faculty Senate meeting of the academic year. The purpose and role of senate was discussed.
- **Standing Senate Committees & Bylaws**  
Membership of 2011 – 2012 Senate Committees was established. Held special elections for new faculty senators to fill vacant seats in Fall 2011. Reviewed Senate Bylaws and Constitution — Rules Committee responsible.
- **Ombudsperson**  
Our first Ombuds person began his term.
- **Faculty Lounge**  
A Faculty Lounge was set up through the advocacy of the Faculty Senate.
- **Senate Student Assistant**  
A graduate assistant was selected for the 2011-2012 academic year.
- **Faculty Handbook**  
*Academic Integrity and Misconduct Policy* — Drafted a policy as per TBR regulations to facilitate due process for students alleged to have committed Academic Misconduct.  
Approved *Faculty Handbook* revisions:  
*Chair Policy* — A new form for annual evaluation of chairs was approved.  
*Retention, Promotion, and Tenure Policies* — Service-Learning activities were approved for credit in RTP.
- **Student Academic Success**  
Continued review of Student Academic Success Initiative grants (SASI committee responsible) and Revitalizing Academic Success Initiative grants (RASI committee responsible). Reviewed Course Internationalization grants, a new initiative to establish an international option for high-enrolled courses.

## UNIVERSITY OF TENNESSEE – KNOXVILLE

(Vincent Anfara, Jr., President, Faculty Senate)

- **Benefit Equality (from the Benefits and Professional Development Committee)**
- **Best Practices Document**  
A 3<sup>rd</sup> document including resources and “best practices” to go along with the *Faculty Handbook* and *Manual for Faculty Evaluation*. Possible name: *Resources Manual*. [ advising and mentoring, peer evaluation of teaching, and the like]
- **Academic freedom (Faculty Affairs Committee)**
- **Initiatives to grow leadership**  
UTK has some concerns about initiatives to grow leadership

## **UNIVERSITY OF TENNESSEE - MARTIN**

(Mike McCullough, President, Faculty Senate)

- **Faculty Senate Blog**  
UTM is creating a Faculty Senate Blog for our website.
- **Faculty Handbook**  
The Faculty Handbook is being revised.
- **Class Size**  
We are continuing to study class size
- **Faculty Teaching Load**  
The Senate obtained information from budget office on the cost of reducing faculty teaching load
- **Union**  
Our Senate was visited by CWA UCW Union representative – Tom Smith
- **Future Senate Leadership**  
Next in succession line will be Robert Nanney and Jeff Rogers
- **Equity and Diversity**  
Equity and diversity officer will be attending our next FS EC meeting to explain the role of her office with respect to complaints against faculty.
- **TUFS Visit**  
Visit by Jeff Berman from TUFS on March 20, 2012
- **Hanemann Visit**  
Lou Hanemann visited Senate on April 24<sup>th</sup>
- **Host TUFS**  
UTM offered to host TUFS March 31 – April 1, 2012

## MIDDLE TENNESSEE STATE UNIVERSITY

(Kim Neal Nofsinger, President, Faculty Senate)

- **MTSU Annual Retreat**  
President Sydney McPhee, updated Senate on the University's budget, Complete College Tennessee Act, faculty and academic programs. Issues of retention and recruitment were emphasized.
- **Graduation and Retention**  
Dr. Deb Sells, Vice President for Student Affairs presented the recommendations of the President's Leadership Council Sub-committee on Graduation and Retention Rates. College climate is primary concern for faculty.
- **Legislative**  
Stayed informed on current issues and budget. Point of current concern is impact budget changes will have on ability to meet Complete College Act Guidelines
- **Internal Affairs**
  - Tobacco Free Campus policy became effective in January 2012.
  - Academic Misconduct Policy has been discussed throughout year. Some resolution has been found but there are implications to policy still under question.
  - Shared governance as a matter of practice not just as policy has been questioned repeatedly.
  - Draft of Enrollment Management Plan under discussion. Issues in vision and clarity of original draft are central. Also lack of faculty engagement in development of original draft.
  - New science building is key component of advancement. However, this sets a precedent for universities to supply matching funds to finance new buildings.
  - Dean of Library search was completed. However, continuing search for dean of Basic and Applied Sciences. Central issue is below level salaries offered in state of Tennessee.
- **Senate Elections**  
Michael Arndt, Associate Professor of Music (Trumpet), will become the 2011-12 President Elect. Elections for 2013/14 President will be held in April.
- **Due process for negative actions against MTSU faculty**  
Two negative actions are listed below:
  1. Denial of Promotion and Tenure and the Appeals Process
  2. Termination for Adequate Cause
- **Promotion and Tenure Faculty Appeals Committee**  
The Promotion and Tenure Faculty Appeals Committee, comprised of two Tenured Professors from each college. We have changed the committee charge to: MTSU Policy II:01:05C, Tenure and Promotion Appeals Process, sets forth the structure of the committee as follows: "The committee shall be composed of two tenured, full professors from each academic college. For the purpose of committee composition, the James E. Walker Library and University Studies should be considered part of the College of Mass Communication. There should be race and

gender diversity on the committee secured by temporarily expanding the committee, if necessary. Tenured minority race faculty of lower academic rank should be appointed to achieve a diverse committee if there are an insufficient number of minority race full professors. Conflicts of interest should be avoided.” In addition, three “qualified alternates shall be appointed.” Charge: The committee shall carry out its responsibilities as described in University Policy II:01:05C, Tenure and Promotion Appeals Process.

- **Termination for Adequate Cause (MTSU Policy 11:01:05 C)**

A faculty member in any appointment category (including tenured faculty) may be terminated for adequate cause prior to the end of the term of appointment. Adequate cause includes the following:

1. Incompetence, misconduct, dishonesty, and/or fraudulent activity in teaching, research/scholarship/creative activity, and/or service/outreach;
2. Willful failure to perform the duties and responsibilities for which the faculty member was employed or refusal or continued failure to comply with the policies of the Board of Regents, the university or the department, or refusal to carry out specific assignments, when such policies or assignments are reasonable and non-discriminatory;
3. Conviction of a felony or a crime involving moral turpitude;
4. Improper use of narcotics or intoxicants, which substantially impairs the faculty member's fulfillment of his/her department and university duties and responsibilities;
5. Capricious disregard of accepted standards of professional conduct;
6. Falsification of information on Middle Tennessee State University employment application or of other information concerning qualifications for a position; and/or
7. Failure to maintain the level of professional excellence and ability demonstrated by other members of the faculty in the department or academic program unit of the university.

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1. Procedures for Termination for Adequate Cause

Termination of a faculty member with a tenure appointment, or with a tenure-track or temporary appointment ("faculty member") prior to the end of the annual specified term of the appointment, will be subject to the following procedures:

1. No termination will be effective until steps four (4) through nine (9) below have been completed.
2. Suspensions pending termination will be governed by the following procedures:
  - a. A faculty member may not be suspended pending completion of steps four (4) through nine (9) unless it is determined by the university that the faculty member's presence poses a danger to persons or property or a threat of destruction to the academic or operational processes of the university. Reassignment of responsibilities is not considered suspension; however, the faculty member must be reassigned responsibilities for which he/she is qualified.
  - b. In any case of suspension, the faculty member shall be given an opportunity at the time of the decision or immediately thereafter to contest the suspension; and, if there are disputed issues of fact or cause and effect, the faculty member will be provided the opportunity for a hearing on the suspension as soon as possible at which time the faculty member may cross-examine his/her accuser, present witnesses on his/her behalf, and be represented by an attorney. Thereafter, whether the suspension is upheld or revoked, the matter will proceed pursuant to these procedures.
3. Except for such simple announcements as may be required concerning the time of proceedings and similar matters, public statements and publicity about these proceedings by

either the faculty member or administrative officers will be avoided so far as possible until the proceedings have been completed, including consideration by the Board of Regents.

4. Upon a recommendation by the provost of the university to the president or upon a decision by the president that these procedures should be undertaken in consideration of the termination of a faculty member, one or more appropriate administrators will meet privately with the faculty member for purposes of attempting to reach a mutually acceptable resolution of the problems giving rise to the proposed termination proceedings.

5. If no mutually acceptable resolution is reached through step four (4) the following steps will be taken:

a. The faculty member will be provided with a written statement of the specific charges alleged by the university which constitute grounds for termination and a notice of hearing specifying the time, date, and place of the hearing. The statement and notice must be provided at least twenty (20) days prior to the hearing. The faculty member will respond to the charges in writing at least five (5) days prior to the hearing. The faculty member may waive the hearing by execution of a written waiver.

b. A Hearing Committee consisting of tenured faculty or tenured faculty and administrators will be appointed to hear the case and to determine if adequate cause for termination exists according to the procedure hereinafter described. The committee

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will be appointed by the president, with recommendations coming from the faculty senate, with one tenured full professor representing each of the following colleges: Basic and Applied Sciences, Business, Education, Liberal Arts, and Mass Communication. Members deeming themselves disqualified for bias or interest will remove themselves from the case, either at the request of a party or on their own initiative. Members of the committee will not discuss the case outside committee deliberations and will report any ex-parte communication pertaining to the hearing to the president who will notify all parties of the communication.

6. The Hearing Committee will elect a chairperson who will direct the proceedings and rule on procedural matters, including the granting of reasonable extensions of time at the request of any party and upon the showing of good cause for the extension.

7. The chairperson of the hearing committee may in his/her discretion require a joint prehearing conference with the parties, which may be held in person or by a conference telephone call. The purpose of the pre-hearing conference should include but is not limited to one or more of the following:

- a. Notification as to procedure for conduct of the hearing;
- b. Exchange of witness lists, documentary evidence, and affidavits;
- c. Define and clarify issues;
- d. Effect stipulations of fact; and
- e. Any other appropriate preliminary matters.

A written memorandum of the pre-hearing conference should be prepared and provided to each party.

8. A hearing will be conducted by the hearing committee to determine whether adequate cause for termination of the faculty member exists. The hearing will be conducted according to the procedures below.

a. During the hearing, the faculty member will be permitted to have an academic advisor present and may be represented by legal counsel of his/her choice.

b. A verbatim record of the hearing will be taken and a typewritten copy will be made available

to the faculty member, upon request, at the faculty member's expense.

c. The burden of proof that adequate cause exists rests with the university and will be satisfied only by clear and convincing evidence in the record considered as a whole.

d. The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The administration will cooperate with the committee in using its best efforts to secure witnesses and make available documentary and other evidence that is under its control.

e. The faculty member and the administration will have the right to confront and cross-examine all witnesses. Where the witnesses cannot or will not appear, but the committee determines that the interests of justice require admission of their statements,

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the committee will identify the witnesses, disclose their statements, and, if possible, provide for interrogatories. An affidavit may be submitted in lieu of the personal appearance of a witness if the party offering the affidavit has provided a copy to the opposing party as least ten (10) days prior to the hearing and the opposing party has not objected to the admission of the affidavit in writing within (7) days after delivery of the affidavit or if the committee chair person determines that the admission of the affidavit is necessary to ensure a just and fair decision.

f. In a hearing on charges of incompetence, the testimony will include that of qualified faculty members from Middle Tennessee State University and/or other universities of higher education

g. The hearing committee will not be bound by strict rules of legal evidence and may admit and evidence which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available.

h. The findings of fact and the report will be based solely on the hearing record.



## UNIVERSITY OF TENNESSEE CHATTANOOGA

(Victoria Steinberg, President, Faculty Senate)

- **Parking**  
Successfully defeated administrative attempts to banish faculty from parking adjacent to classroom buildings
- **Budget and Economic Status Committee**  
The Budget and Economic Status Committee was placed on campus Compensation Committee
- **Honors College**  
Senate approved creation of new Honors College
- **Student Rating of Faculty**  
implemented new Student Rating of Faculty form that emphasizes learning
- **New Campus Plan**  
participated in new campus master plan in preparing for 15,000 students
- **Faculty Leaves and Banking Policy**  
Senate crafted and approved consistent policy on faculty leaves, course banking and soon on extra service pay
- **Exit Interviews**  
Senate is currently crafting faculty exit interview questionnaire
- **Academic Calendar**  
Senate is wrangling calendars, academic and final exam, from administrative control
- **Committee on Committees**  
Senate achieved some success in getting all committee appointments, especially administrative, appointed by the Committee on Committees
- **General Education**  
The first draft of new General Education program should be drafted by May
- **New Doctorate**  
Senate approved new clinical doctorate in Occupational Therapy (OTD)
- **Budget**  
The first year of a Faculty Senate budget was presented and we are assured that it will continue and be fully funded
- **Dean, Arts and Sciences**  
UTC is well on our way to hiring a new Dean of Arts and Sciences

## UNIVERSITY OF MEMPHIS

(Larry Pivnick, President, Faculty Senate)

- **Electronic Voting**

The University of Memphis Faculty Senate obtained a vote of the Full Faculty approving an amendment to the Faculty Senate Constitution allowing for future amendments to the Faculty Senate Constitution by electronic voting.

- **Tenure & Promotion**

The University of Memphis Faculty Senate conducted a Faculty Survey to determine faculty views on the University Administration's proposed standards and criteria to be applied university wide in on Tenure and Promotion determinations. The major issue involved whether the evolution of college criteria adopted after hire should be applied in the tenure/promotion decision. Should first year, third year, or fifth year criteria be applied?

- **Research Resources**

The University of Memphis Faculty Senate also conducted a faculty wide survey regarding workaround procedures utilized by faculty to obtain research materials not available at the University's Libraries.

- **Faculty Ombudsperson**

The University of Memphis Faculty Senate has amended the Faculty Handbook with the Faculty Senate assuming a more direct role in the selection of the Faculty Ombudsperson. The Ombudsperson will now be chosen by a committee of 6, with the Senate nominating three and the Administration selecting three members. The Committee will nominate one person for the position, which must then be elected or vetoed by the Faculty Senate, subject to subsequent approval of the President, rather than the Provost.

- **Academic Freedom**

The University of Memphis Faculty Senate has adopted a revision, approved by the President for inclusion in the Faculty Handbook that clarifies that Academic Freedom of faculty at UM includes faculty participation in shared governance. This has been assumed previously, but the Faculty Handbook now will expressly so provide.

- **Faculty Club & Meeting Areas**

The University of Memphis Faculty Senate has appointed a Committee that has been actively considering how and where to reestablish a meeting place on campus where faculty and staff may gather on campus between the hours of 9 and 2 for brunch and lunch. The Committee has also been considering an off campus location for a UM Faculty Club.

- **Grievances**

The University of Memphis Faculty Senate has been focusing on a clarification of the functions of the multitude of Appeals and Grievances Committees that the Faculty Handbook refers to. In cases of Termination of Tenure and Demotion, and cases involving alleged violations of federal and state statutes or policies, where action by University Counsel is not required, a President's Panel shall review a Provost's decision, and the members of a President's Panel henceforth shall

be chosen from a President's Committee selected by the Faculty Senate. The Panel that will hear any case shall consist of 4 persons chosen from the committee with 2 chosen by the President of the University and 2 chosen by the Faculty Senate president. Each college has representation on the President's Committee. The Faculty Senate populates the President's committee with tenured full time faculty member representing each college and a fair cross section of the faculty to assure diversity.

- **Budgets**

The University of Memphis Faculty Senate continues to work with the Administration on the development of the University and Department budgets, including faculty salary and benefit issues. Faculty senators in each college have met with the deans and Provost Faudree. President Raines has met with the full Faculty Senate and has met monthly with the Senate President.

- **TBR Faculty Subcouncil**

The University of Memphis Faculty Senate's officers have served actively on the Tennessee Board of Regents Faculty Subcouncil, and in the association of Tennessee University Faculty Senates (TUFS). TUFS has representatives from all of Tennessee's 4 year colleges in both the UT and Regents systems.

- **Extra Compensation**

The University of Memphis Faculty Senate has addressed the issue of Extra Compensation for faculty asked to teach "overloads" in order to cover required and other courses.

- **Sick Leave**

The University of Memphis Faculty Senate has sought a change in TBR policies which currently limit to 30 days (with exceptions) the use of sick leave with pay to after birth or adoption care.

- **Education and General Funds**

The University of Memphis Faculty Senate has expressed opposition to the use of E and G (Education and General) Funds to support the UM's independent Academic Department. The University Budget last year provided more than \$2 million of E and G funds to the Athletic Department, despite voiced concerns from the UM Faculty Senate that this funding be eliminated. The university President has reported that our sister schools in Tennessee devote significantly more E and G funds to support their Athletic Programs. The University of Memphis Athletics received only \$1.2 million of E and G Funding during 2011-2012 fiscal year.

- **Firearms on Campus**

The University of Memphis Faculty Senate adopted a resolution, similar to those adopted at other TUFS member schools and positions taken by our Central Administration, opposing legislation authorizing the carrying of firearms on campus by persons other than the police.

- **Lambuth College Issue**

The University of Memphis Faculty Senate has participated in the resolution of faculty issues that arose from the merger of Lambuth College in Jackson with the University of Memphis.

## **TENNESSEE STATE UNIVERSITY**

(Elaine Busey, President, Faculty Senate)

- **PRESIDENT SEARCH**  
Search for TSU president to begin. TBR notification stated would be organizing committee to include faculty and community representatives.
- **NEW SENATE CHAIR**  
Current Senate Chair elect will take office at the April meeting of TSU Faculty Senate. The new Chair is Jane Davis.
- **REORGANIZATION OF UNIVERSITY**  
TSU underwent reorganization of colleges and departments 2011.
- **EVALUATION OF ADMINSTRATORS**  
TSU implemented a dean/department head evaluation beginning this month.
- **ADMINISTRATIVE TURN-OVER**  
TSU is currently experiencing a third Provost since January 2011.