



THE UNIVERSITY OF
MEMPHIS

Faculty Senate

Presiding: Edward H. Perry

DRAFT 12/02/08

Secretary: Linda C. Finch

Senators Present: **Senators Present:** Jan R. Acuff, Thomas E. Banning, Mary V. Battle, Jeffrey S. Berman, Joel D. Bumgardner, Robert P. Connolly, Richard D. Evans, Jaime M. Ferran, Donald R. Franceschetti, Edwin G. Frank, Nicholas V. Holland II, Wade M. Jackson, Walter G. Kirkpatrick, Balaji Krishnan, David N. Lumsden, James M. Lukawitz, William C. McKeown, Frances Pearson, Richard L. Petersen, Lawrence A. Pivnick, Jean-Pierre Reed, Susan L. Roakes, Hoke Robinson, Stephan J. Schoech, William T. Segui, Michelle L. Stockton, Margaret Vandiver and Tracy White.

Senator Present by Proxy: David N. Lumsden (unreadable) and E. Trey Martindale (Michael M. Grant).

Senators Absent: Thomas D. Cox (explained), Economics (explained), Daniel C. Lustig, H. Richard Mahood, William H. Jermann, Candace C. Justice, Management (TBA), E. Trey Martindale, Catherine Phipps and Seok P. Wong.

T.B.R. Faculty Sub-Council Rep: Jeffrey S. Berman

Guest: David N. Cox (President's Office) and Thomas Nenon (Provost's Office)

The three-hundred and sixty-eight meeting of The University of Memphis Faculty Senate was held Tuesday, December 2, 2008, in E.C. Ball Hall Auditorium (room 124).

12.02.08.01 CALL TO ORDER

The meeting was called to order at time 2:43 pm with a quorum present.

12.02.08.02 APPROVAL OF AGENDA

The agenda was approved.

12.02.08.03 APPROVAL OF MINUTES

1 It was moved to approve the minutes of the 11/04/08 Faculty Senate meeting.

12.02.08.04 PRESIDENT'S REPORT

Budget Update

President E. Perry reported the approximate 9% reduction or "reversion" of University funds has resulted in the return of \$10-11 Million to the State. The most recent reversion plan was due to TBR on 11-25-08. Faculty Senate President, E. Perry and President-elect, Jeffrey Berman, met

with University President Shirley Raines on Monday, December 1, 2008, to discuss the University budget status.

The new budget base, beginning 2009-2010, will be 8.7% less, which is reflective of the first round of budget cuts mandated to the University. A second budget reduction is expected to be between 10-15%. Ten percent would be roughly equal \$12 Million. President Perry reminded the Senators that state contributions to the University represent about one-third of the total budget.

The TBR will meet Thursday, December 4, 2008, to continue discussions on the TN financial status and ways to curb costs. Chancellor Manning has proposed consideration of faculty furloughs which has resulted in many questions and concerns from faculty across the state. Chancellor Manning will speak to TBR University Presidents today at 4 pm about that issue.

Ed Stevens, immediate Past President, Faculty Senate, and the University of Memphis Regent to TBR, will represent the faculty at Thursday's meeting and present results of the upcoming motion to strike faculty furloughs from the TBR Consent Agenda until further faculty discussions and input occur. (This motion appears Under New Business, Executive Committee).

Faculty Handbook Changes

President E. Perry provided the status of university's Faculty Handbook changes. The Faculty Senate Executive Committee presented a motion on two handbook changes (This motion appears Under New Business, Executive Committee).

In a recent meeting with the Faculty Senate Executive Committee, President Raines stated she will not approve the selection of all 18 members of the Tenure and Promotion Grievance Committee by the Faculty Senate. She will continue to appoint 8 of the 18 members for this committee.

Enrollment Management Council

President Perry reported from the Enrollment Management Council meeting that Spring 2009 enrollment applications are up 12-15% compared with fall 2008. Revenue from these additional students will help to defray the budget gap, if the projections are correct.

Effort Certification Update

New, user-friendly software will be available next semester to view effort certification history and allow for supervisors of graduate students, involved in grant research, to enter certification data in the event the student is unavailable to do so.

Need for Timely Committee Reports

Committee chairs are urged to submit committee reports eight (8) days in advance of the Faculty Senate meeting to allow for Executive Committee review and develop motions as needed.

Statement of Business Report (Senate Website)

In response to a Faculty Senator's request for better communication of Faculty Senate business and the status of motions approved, the Faculty Senate now has a home page link to *Statement of Business* which contains a spreadsheet with the following data relative to each motion for the

current academic year: date, number, statement of motion, origin, Senate Action, and status. To date, fifteen (15) motions have been brought to the Faculty Senate (prior to today's meeting).

12.02.08.05 PRESIDENT-ELECT'S REPORT

J. Berman, reported from the TBR Faculty Sub-Council meeting, held Friday, October 24, 2008. The entire report was provided in hard copy print to senators. President-Elect Berman selected the following items to share with the Faculty Senate.

- There was a vote approving an increase in the maximum compensation for adjunct instructors. The new maximums are still quite low but they can be overridden by the local institution.
- Because of changes in federal regulations requiring greater monitoring by an employer of retirement plans, the state is changing the 403(b) options. The number of 403(b) vendors will be reduced to just three (AIG/Valic, ING, and TIAA-CREF) and there will be no more hardship loans allowed from these accounts. It was estimated that approximately 800 individuals will have to Change from vendors who are no longer supported.
- Concerns were expressed about how Technology Access Fee (TAF) funds were being distributed and the role of the faculty in making decisions about these funds. A motion from the Sub-Council will be developed regarding this issue. From discussions, it appears The University of Memphis faculty have less input than many other TBR institutions. In addition, President-Elect Berman was selected to serve as a representative from the Faculty Sub-Council on the TBR Information Technology Sub-Council.
- Three committees are now working on issues of faculty workload, including a committee on assessing graduate faculty workload. At most TBR schools, the faculty senates were involved in selecting the faculty representatives to these committees. President-Elect Berman noted that this appeared not to be the case at the University of Memphis. Kay Clark, the Associate Vice Chancellor, Academic Affairs, promised to look into this appointment issue.
- There was considerable discussion about the common calendar, which results in late start and ending of the fall term when there is a fifth Monday in August. There was a motion to change the common calendar to coordinate with the fourth Monday of August and have the day before Thanksgiving off. The current common calendar is set for the next three years but it could be altered after that. Faculty senates were asked to vote whether they approve or disapprove of this possible change in constructing future common calendars. Senator Berman presented the following motion with rationale:

Motion

“The Faculty Senate of The University of Memphis approves changing future common calendars to coordinate the start date with the fourth Monday of August and provide the day before Thanksgiving off.”

Rationale: The current TBR Common Calendar results in a late start and ending of the fall term when there is a fifth Monday in August. Following discussion of this issue by the TBR Faculty Sub-Council at its October 24, 2008, meeting, the sub-council proposed changing common calendars in the future to coordinate the start date with the fourth Monday of August and provide

the day before Thanksgiving off. The sub-council requested that faculty senates of TBR institutions vote as to whether they approve or disapprove of this possible change.

T. Nenon, (Provost's Office) provided background on the development of the common calendar and there was considerable discussion about implications for summer school and financial aid decisions.

Adopted by voice vote, with 1 nay and 0 abstentions on December 2, 2008

12.02.08.06 OLD BUSINESS

There was no old business reported.

12.02.08.07 NEW BUSINESS

Executive Committee

The Executive Committee presented the following motions with rationale related to Faculty Handbook revisions:

Motion 1

“Change the section entitled “Grounds for Appeal” to read:

If there is an appeal of the recommendation for tenure or promotion, additions relevant to the appeal may be made to the appellant's file. The Appeals Committee will consider only the issues relating to the following grounds for appeal:

1. Unlawful discrimination on the basis of sex, age, race, religion, national origin, veteran's status, disability, or other grounds protected by state or federal law;
2. *Violation of principles on academic freedom as outlined in the Statement of Principles on Academic Freedom and Tenure of the American Association of University Professors;*
3. Substantive procedural errors (based upon the procedures outlined in the *Faculty Handbook*, college tenure and promotion guidelines, or departmental guidelines) in the manner in which the application was reviewed; or
4. Mistake in the review of a dossier such that a reviewing body is unaware of a credential that satisfies a requirement for tenure or promotion.
5. *An arbitrary, capricious, or unsubstantiated recommendation.*

If any of these grounds is found to have existed, the Appeals Committee will then consider whether the ground adversely affected the ultimate recommendation.

In addition, the Appeals Committee may hear an appeal in any instance where there is a negative decision by the provost despite positive recommendations at all four lower levels of review (department committee, department chair, college committee, college dean).

The Appeals Committees will not substitute their judgment for that exercised at the levels of review and will restrict their assessment to the areas stipulated in the section entitled "Grounds for Appeal."

Rationale: To satisfy concerns raised by Provost and University Legal Counsel.

Adopted by voice vote, with 1 nay and 0 abstentions on December 2, 2008

Motion 2

“Specify the role of Faculty Grievance Committee in Faculty Handbook by adding the following text immediately after section on Faculty Ombudsperson in Chapter 2.

Faculty Grievance Committee

The Faculty Grievance Committee, consisting of nine faculty members appointed by the Faculty Senate, provides an avenue of appeal for faculty who feel mistreated in their relationship(s) with other faculty members or with administrators of the University of Memphis. In addition, the Grievance Committee provides a source of appeal for tenured faculty who feel they have been unfairly treated during annual evaluations. The Faculty Grievance Committee provides advice to faculty members bringing a grievance, decides to accept or reject submitted grievances, investigates grievances, mediates when called upon, and makes recommendations to the president of the university.”

Rationale: To satisfy concerns raised by Provost and University Legal Counsel.

Adopted by voice vote, with 1 nay and 0 abstentions on December 2, 2008

[Motion on Common Calendar (presented in President-Elect’s Report)]

Motion 3

Faculty Senate Participation in Budget Discussions:

“Whereas, the Faculty Senate is constitutionally designated as the forum for the formulation of faculty opinion, and

Whereas, the Governor has indicated budget cuts of 10%-15% for the coming academic year, and

Whereas, in the past the Faculty Senate has simply been informed of budget cuts with little or no opportunity to review proposed cuts or provide alternatives to proposed budget reductions, and

Whereas, budget reductions for the coming year may well affect the faculty adversely,
Resolved, that the Faculty Senate urges President Raines to substantially involve the Faculty Senate in budget discussions during the coming year.”

Rationale: To have more faculty involvement in future budget discussions.

Adopted by voice vote, with 0 nays and 1 abstention on December 2, 2008

Motion 4

“The Faculty Senate of The University of Memphis hereby elects to join the Tennessee University Faculty Senates (TUFS).”

Rationale: Although President-elect Berman is the University’s representative to the Tennessee University Faculty Senate (TUFS), we need to vote on a motion to formally join this body.

Adopted by unanimous voice vote on December 2, 2008

Motion 5

“Whereas, in his recent report entitled, “Nov 20 Correspondence to Presidents on Long Term Productivity Enhancement Report,” Chancellor Charles Manning expressed a desire to have the items mentioned in that report presented at the December 4th meeting of the Tennessee Board of Regents (TBR), and
Whereas, these items have not been presented to the TBR Faculty Sub-Council for discussion, and
Whereas, the TBR Vice-Chancellor for Academic Affairs just learned of this report upon her return from an extended trip out of the country, and
Whereas, most of the items clearly affect faculty employed at the various colleges and universities under the TBR,
Resolved that the Faculty Senate of The University of Memphis requests that any items mentioned in the November 20th report from the Chancellor that have not been discussed by the TBR Faculty Sub-Council be removed from the agenda of the December 4th meeting of the Tennessee Board of Regents and not be considered by the Board until appropriate discussion by the Faculty Sub-Council has occurred.”

Rationale: To prevent the adoption by the TBR of budget reduction measures being considered by the Chancellor until faculty input can be obtained on these measures.

Adopted by unanimous voice vote on December 2, 2008

Student Evaluation of Teaching Effectiveness (SETE) Senator B. Krishnan

Before presenting Committee on Committee motions, Senator B. Krishnan brought his concern that the Student Evaluation of Teaching Effectiveness (SETE) was available until after final grades are due having potential negative consequences for faculty related to Tenure and Promotion decisions.

This semester the SETE is available 12:01 a.m. November 24 through Noon December 15, 2008; final grades are officially due by 10 am December 15. There was discussion about the length of time the SETEs are available and the potential negative evaluation of faculty by students who received poor or unsatisfactory grades.

Senator B. Krishnan put forth a motion as follows:

Motion

The Faculty Senate proposes that the SETE be offered to the students for a 3-week period ending on the last day of classes.

T. Nenon (Provost's Office) identified the use of the SETE and the time-frame for teacher evaluation promotes greater student participation (72% spring 2008) compared with the previous Student Instruction Rating Scale (SIRS) instrument (29% fall 2007). Other discussion included higher response rates do not necessarily mean more valid responses and students who have an incentive (such as obtaining grades) for completing SETEs may be less serious in evaluating faculty.

J. Petry reported that the previous task force recommended to decrease the time the SETE was open to two (2) weeks and to close the SETE to correspond with the last day of class. There was also concern discussed relative to the SETE being tied directly to students' being able to obtain final grades.

Motion to Amend Motion

The Faculty Senate proposes that the SETE end on the last day of classes.

Adopted by voice vote, with 0 nays and 1 abstention on December 2, 2008

Motion (to adopt amended motion)

Adopted by voice vote, with 0 nays and 1 abstention on December 2, 2008

Committee on Committees

The Committee on Committees chair, Senator B. Krishnan, presented two (2) motions for faculty representatives on Information Technology Committees. They are as follows:

Motion 1

"Move that the Faculty Senate approved the nomination of Tom Stafford (Management Information Systems) to serve on the Business Process Improvement Team"

Adopted by unanimous voice vote on December 2, 2008

Motion 2

"Move that the Faculty Senate approved the nomination of Tom Stafford (Management Information Systems) to serve on the Data Stewards Committee"

Adopted by unanimous voice vote on December 2, 2008

Enterprise Training Team Committee –no nominee

Senator B. Krishnan presented the following motion for faculty representation on the President's Committee:

Motion

"Move that the Faculty Senate approved the nomination of Lloyd Brooks (Management Information Systems) to serve on the Conflict of Interest Committee"

Adopted by unanimous voice vote on December 2, 2008

Library Policy Committee

The Chair of the Library Policies Committee, Senator R. Petersen, presented the following Faculty Senate resolution:

Resolution

“The Faculty Senate Library Committee applauds President Raines’ November 14, 2008 guarantee that the University of Memphis will provide the funding necessary to maintain library membership in the Association of Southeastern Research Libraries (ASERL). As this guarantee recognizes, ASERL membership is crucial to the basic teaching and research functions of the University’s faculty and students. Nonetheless, it comes at the end of a four-year probationary period, which has underscored a problem of chronic library underfunding. We consider maintaining ASERL membership to be a minimum bailout for the library funding crisis and recommend using the Report of the Provost’s Ad-Hoc Committee on Library Allocations as a basis for further discussion and deliberation in order to address the crisis.”

This resolution acknowledges and endorses the commitment made by President Raines and Provost Faudree to lift our Library out of probationary status with ASERL. We believe continued membership in ASERL is vital to faculty interests across the University.

There was discussion regarding Library leadership, that ASERL membership is not tied to accreditation, and need for clarification to resolution to make wording less offensive.

The third sentence was changed as follows:

“Nonetheless, it comes at the end of a four-year probationary period, which has underscored a chronic problem with library funding.”

Amended Resolution

“The Faculty Senate Library Committee applauds President Raines’ November 14, 2008 guarantee that the University of Memphis will provide the funding necessary to maintain library membership in the Association of Southeastern Research Libraries (ASERL). As this guarantee recognizes, ASERL membership is crucial to the basic teaching and research functions of the University’s faculty and students. Nonetheless, it comes at the end of a four-year probationary period, which has underscored a chronic problem with library funding. We consider maintaining ASERL membership to be a minimum bailout for the library funding crisis and recommend using the Report of the Provost’s Ad-Hoc Committee on Library Allocations as a basis for further discussion and deliberation in order to address the crisis.”

Adopted by unanimous voice vote on December 2, 2008

Committee Reports

Reports submitted by Faculty Senate standing and ad hoc Committees are available on the Faculty Senate website (<http://www.memphis.edu/facultysenate/committees.php>)

12.02.08.08 ANNOUNCEMENTS/EVENTS

Confucious Institute Invitation, panel discussion on Chinese Culture, McWherter Library, room 225, Wednesday, December 3, 2008, Noon-1pm, for more information contact Dr. Hsiang-te Kung.

Friday Forum will be held at 1pm, Friday, December 5, in JWB 220. David Zettergren, Interim Vice President for Business and Finance, and Teresa Hartnett, Director, Administration and Business Analysis, will be available to discuss cost-savings suggestions. Everyone is welcome to attend.

Holiday Invitation President Raines annual Holiday Celebration, Wednesday, December 10, 2008, 9:30 am to 11:30 am, Administration Building, Second Floor Atrium

Honorary Degree nominations, guidelines for awarding honorary degrees are located at: <http://policies.memphis.edu/UM1648.htm>

Marcus Orr Faculty Senate spring 2009 Lecturer, Judith Butler, Professor of Comparative Literature and Rheotoric at the University of California Berkeley, Thursday, January 29, 2009, Fogelman Executive Center, room to be announced.

12.02.08.07 ADJOURN

President E. Perry adjourned the meeting ended at 4:15 p.m.