



Faculty Senate

Presiding: Edward H. Perry

Date: 04-07-09

Secretary: Linda C. Finch

Senators Present: Mary V. Battle, Jeffrey S. Berman, Joel D. Bumgardner, Richard D. Evans, Edwin G. Frank, Wade M. Jackson, Linda D. Jarmulowicz, Walter J. Kirkpatrick, Balaji Krishnan, Stephen J. Leierer, James M. Lukawitz, E. Trey Martindale, William C. McKeown, David A. Nofsinger, Frances Pearson, Richard L. Petersen, Catherine Phipps, Lawrence A. Pivnick, Susan L. Roakes, Hoke Robinson, William T. Segui, Sharon A. Stanley, Michelle L. Stockton, and Margaret Vandiver.

Senator Present by Proxy: Jean-Pierre Reed (Joseph C. Ventimiglia)

Senators Absent: Thomas E. Banning (explained), Robert P. Connolly, Thomas D. Cox (explained), Economics (explained), Jaime M. Ferran, Donald R. Franceschetti, William H. Jermann, Candace C. Justice, Nicholas V. Holland III (explained), David N. Lumsden, Management (vacant), Stephan J. Schoech (explained), Tracy White (explained) and Seok P. Wong.

T.B.R. Faculty Subcouncil Rep: Jeffrey S. Berman

Guests: David Cox (President's Office), and Thomas Nenon (Provost's Office)

The three-hundred and seventy-second meeting of The University of Memphis Faculty Senate was held Tuesday, April 7, 2009, in the room 124, the Auditorium, E.C. Ball Hall.

04.07.09.01 CALL TO ORDER

The meeting was called to order at 2:44 p.m. with a quorum present.

04.07.09.02 APPROVAL OF AGENDA

The agenda was approved.

04.07.09.03 APPROVAL OF MINUTES

It was moved to approve the minutes of the Faculty Senate meeting of March 17, 2009.

04.07.09.04 PRESIDENT'S REPORT

President E. Perry presented the following items.

1. Budget

With the acceptance of the Federal Stimulus Package, federal American Recovery and Reinvestment Act (ARRA) the upcoming budget will revert to the previous year's

budget, \$320 million, although internal allocations may be different. The entire budget may be viewed online.

2. *Student Government Association (SGA) request regarding Study Week*

Will be addressed under New Business

3. *Faculty Opinion Survey*

President E. Perry provided a brief overview of the survey results which have been emailed to all faculty. Five hundred eight full and part-time faculty responded to the survey with 104 comments.

- Faculty members do not believe the Student Evaluation of Teaching Effectiveness (SETE) is a valid instrument for evaluating teacher effectiveness. There were 29 negative comments.
- Faculty members do not believe it is appropriate to support the Athletic Department from University or General Funds by a 5:1 margin.
- Sixty-seven percent of faculty favor exempting lower paid employees from furlough
- Forty-six percent of faculty do not feel appropriately involved in budget development (3:1 margin)
- Finally, surprisingly, Tenure & Promotion is not a major concern.

04.07.09.05 PRESIDENT ELECT'S REPORT

J. Berman gave a brief history of the development of the Tennessee University Faculty Senates (TUFS) and reported on major highlights of the meeting held earlier this month (April 3-5, 2009 at Fall Creek Falls State Park).

- The group plans to compare administrative costs between peer institutions
- A report from an American Association of University Professors (AAUP) representative advocates that faculty expertise be considered in any considerations for reorganizing Tennessee (TN) higher education
- A survey of other Tennessee Board of Regents (TBR) Universities indicates all have representation on the President's Council or Cabinet except for The University of Memphis (Representation on University President's Council or Cabinet table attached). Representation on the President's Council has been recommended by Ad Hoc Shared Governance Committee, approved by the Faculty Senate, but denied by the University President.
- There was discussion regarding the role of faculty in formulating the University budget and involving faculty with economic expertise.
- TN tax structure issues were discussed with TUFS presenting a statement that affirms the need for ". . . tax modernization that leads to stable and sufficient funding" . . . of TN higher education (TUFS Taxation Statement attached).
- Kim McMillan, currently Democratic candidate for TN Governor and a former member of the Tennessee House of Representatives, spoke and encouraged faculty contact local legislators to discuss concerns related to higher education and possibly invite them to attend the Faculty Senate meeting.
- TUFS supports that faculty be involved in any reorganization of TN higher education

J. Berman was elected President-Elect of TUFS for 2009-2010 academic year.

The next TUFSS meeting will be held August 14-16, 2009 on the Tennessee State University campus.

04.07.09.06 OLD BUSINESS

Faculty Handbook Changes-Status

No change in status; remains with President.

04.07.09.07 NEW BUSINESS

Committee on Committees-Senator B. Krishnan, Chair

The Chair of the Committee on Committees presented (2) motions for faculty representatives on university committees:

Motion:

“Move that the Faculty Senate ratify the nomination of Edwin G. Frank (University Libraries), Richard Petersen (Chemistry), and Christina Zawisza (Law) to serve on the Strategic Planning Committee.”

Adopted by unanimous voice vote on April 7, 2009.

Motion:

“Move that the Faculty Senate elect Kenneth Lambert, Fogelman College of Business (Accountancy) to serve on the Information Technology Division work group on Encryption Standards and Senator E. Trey Martindale, College of Education,(Instruction Curriculum Leadership), to serve on the Information Technology Division work group, Management of University Computer Accounts.”

Rationale:

Information Technology Division, Ellen Watson, has established short-term work groups on encryption standards and management of university computer accounts (grants). Ms. Watson has requested that the Faculty Senate provide a faculty representative to serve on each work group. A report from the Encryption and Management of University Computer Accounts work group is expected in June 2009.

Adopted by unanimous voice vote on April 7, 2009.

Academic Policies Committee-Senator M. Vandiver, Chair

A brief report was given related to the committee charges.

- Retention issues were presented along with the Early Intervention Program by T. Nenon from Academic Assessment at the March 2009 Faculty Senate meeting. No further committee action is deemed necessary.
- The March motion related to last day to add a class is being re-examined and data is being collected.
- Attempts to clarify the meaning of “efficiency of finals week” were unsuccessful; thus, the charge was not addressed.

The Academic Policies Committee presented the following motion related to approval of charge:

0809.02: *Review the role of the Faculty Senate in both undergraduate and graduate curricular decisions, and make recommendations for change, if change appears warranted.*

Motion:

The Faculty Senate moves that it will fulfill all requirements of the faculty senate constitution, including the Faculty Senate's purpose as stated in Article II, Section 1: 'Approve graduation and general education curriculum requirements.'"

Background:

Senator M. Battle explained the background of this issue. The Constitution of the Faculty Senate states in Article II, Section 1, that the Faculty Senate shall "Approve graduation and general education curriculum requirements." Despite this clear language in the Constitution, the elimination of requirements for computational intensive, writing intensive, and integrative courses occurred without Faculty Senate approval. In addition, the Curricular Procedures Handbook of the Office of Academic Affairs, revised Spring 2007, (<http://academics.memphis.edu/aa/curr/approvals.php>) does not include the Faculty Senate in its list of the levels of approval necessary for curricular changes omits the Faculty Senate.

The Committee agreed to submit a motion upholding the role of the Faculty Senate in approving graduation and general education curriculum requirement, as stated in the Constitution.

Rationale:

Not all documents mentioning graduation and curricular requirements refer to the requirement that the Faculty Senate will "approve graduation and general education curriculum requirements."

No action was taken on this motion. After much discussion and need for clarification of implementation criteria, the Senate recommended that meetings be held with both graduate and undergraduate curriculum representatives to discuss approval mechanisms.

The Faculty Policies Committee- Senator D. Nofsinger, co-chair,

A brief report was provided.

The Faculty Policies Committee presented the following motion.

Motion:

The Faculty Policies Committee recommends that the following statement and link be added to the Faculty Handbook under Chapter 3: Faculty Personnel Policies-Affirmative Action/Equal Employment:

"For More information concerning the University's policy against discrimination based upon sexual orientation, please refer to Policy No.: 1:2A:12:05 at <http://policies.memphis.edu/12a1205.html>."

Rationale:

Though there is an official University of Memphis policy concerning discrimination based on sexual orientation, it is not stated or referred to in the faculty handbook.

The handbook now reads:

*Chapter 3: Faculty Personnel Policies
Affirmative Action/Equal Employment*

Faculty appointments are subject to the laws of the State of Tennessee, the requirements and policies of the Tennessee Board of Regents, and the requirements and policies of The University of Memphis, including conflicts of interest and personal benefits, discrimination, sexual harassment, outside employment, research, patents and copyrights, promotion, and tenure. It is the responsibility of faculty members as University employees to acquaint themselves with existing policies and policy revisions as they may occur. Policy manuals are maintained on the web (<http://policies.memphis.edu>).

For more information concerning the University's Affirmative Action/Equal Employment policies, please refer to UM1381 at <http://policies.memphis.edu/UM1381.htm>.

Adopted by unanimous voice vote on April 7, 2009.

Motion:

The Faculty Policies Committee recommends that the following sentence be added to the Faculty Handbook under Chapter 3: Faculty Personnel Policies-Sexual. Racial and Other Harassment: “The University also has a policy against discrimination based upon sexual orientation.”

Rationale:

The intention is to include sexual orientation in this statement on harassment policy.

The handbook now reads:

*Chapter 3: Faculty Personnel Policies
Sexual, Racial, and Other Harassment*

Sexual and racial harassment, as well as harassment on the basis of religion, disability, or other protected status, is prohibited not only by University policy but also by various acts of Congress, including Title VII of the Civil Rights Act of 1964 as amended and Title IX of the Educational Amendments of 1972. Violation of these acts may subject the University and individuals to disciplinary action and may have legal consequences.

The University encourages prompt reporting of such harassment and its prompt resolution through either informal or formal procedures. See also UofM Policy No. 1391 (<http://policies.memphis.edu/UM1391.htm>) for complaint and investigation procedures. All complaints lodged with the Affirmative Action Office, whether formal or informal, will be investigated by the University.

Adopted by unanimous voice vote on April 7, 2009.

Library Policies Committee-Richard L. Petersen, Chair

University Libraries Dean, Sylverna Ford reports there will be a 30% cut to serial holding. This reduction will allow for book budgets for the next 3 years. The timing of the budget cuts is April through June 2009. Chronic underfunding of the libraries continues.

Fund raising efforts are underway.

There will not be an increase in student fees to fund the libraries.

TBR reports there will be no new fees.

Attempts are underway to revitalize “Friends of the Library.”

Dean Ford has agreed to meet with the Faculty Senate at the beginning of the next academic year to provide a Status of the Libraries report.

The Library Policy Committee presented the following motion.

Motion:

“The Faculty Senate moves that the stated deadline for library subscription cuts be extended until April 22, 2009.

Rationale:

To allow sufficient time for faculty/departmental review necessary to make decisions.

Adopted by unanimous voice vote on April 7, 2009.

Postscript: President-Elect J. Berman to contact other administrators and Provost Faudree regarding the deadline extension.

Ad Hoc Shared Governance Committee-W. Jackson, Chair

The Ad Hoc Shared Governance Committee presented the following motions.

- **Motion 1:** That an Ad Hoc Committee be formed to hear cases where the Faculty Senate and the Provost disagree over proposed changes to the *Faculty Handbook*, and to advise the President. The Committee would comprise five members—three chosen by the Faculty Senate (as the *Faculty Handbook* is under the purview of the Senate); two, by the Provost—and elect the Chair from among its members. Members would serve staggered two-year terms (so some original members would serve for one year).

Rationale: According to the Senate Constitution, the Senate approves changes to the *Faculty Handbook*; currently, the Provost has veto power. The proposed Committee would represent the faculty perspective in cases where the Faculty Senate and the Provost disagree.

Adopted by unanimous voice vote on April 7, 2009.

- **Motion 2:** That greater transparency in Departmental budgets be implemented—specifically, that the details of each Department’s budget (including Foundation, Chairs of Excellence, and all Centers funds) be accessible on Spectrum or another password-protected site.

Rationale: Access to department budgets will provide a better understanding of the department’s budget decisions and thus a greater level of support.

Adopted by voice vote, with 0 nays and 1 abstention on April 7, 2009.

- **Motion 2:** That the President codify that Departmental Chairs must be selected and supported by the majority of the tenure-track faculty in the respective Departments.

Rationale: Mandating that Chairs be selected with majority Departmental approval will increase the perception that faculty opinions are trusted and valued.

The motion was withdrawn and referred back to the committee

Faculty Senate Executive Committee-J. Berman, member

The Executive Committee presented the following motions.

Motion 1:

“Move that the Faculty Senate affirms that any course activity (including, but not limited to, class or lab exams, oral or written presentations) scheduled for the last week of class (defined as dead week), that contributes to grades or student outcomes, be identified in the course syllabus at the beginning of the semester.”

Rationale:

The Student Government Association (SGA) recently made a written request to Provost Faudree concerning graded course requirements during the last week of class (dead week).

The motion was withdrawn after much discussion, and referred back to the committee for further discussion. **Postscript:** Academic Policies Committee members accepted the task to reword and resubmit the motion after discussion with President-Elect J. Berman.

Motion:2:

“Move that the Faculty Senate amend the Standing Rules according to Section 9 of the Faculty Senate Constitution to grant permission to the Executive Committee to act on behalf of the Faculty Senate during summer months when the Faculty Senate is not in session. Ratification of any action(s) of the Faculty Senate Executive Committee during this period will be required at the first Faculty Senate meeting of the academic year.”

Rationale:

To be an effective partner in the shared governance of the university, the Faculty Senate must be responsive in a timely fashion to administrative actions and requests. Because administrative activities affecting the faculty can occur during the summer months when the full Faculty Senate

is not in session, the Standing Rules of the Faculty Senate should be amended to permit senate action during this period.

Adopted by voice vote, with 1 nay and 0 abstentions on April 7, 2009.

Additions to Summary Reports filed by Faculty Senate standing and ad hoc Committees, Summary Reports are now available on Faculty Senate website:
<http://www.memphis.edu/facultysenate/committees.php>)

04.07.09.08 ANNOUCEMENTS/EVENTS

Faculty Scholarship Week and Twenty-second Annual Faculty Convocation award ceremony, Wednesday, April 29 at 2:00 p.m., in the Mike Rose Theatre, the University honors professors and others for outstanding achievement in teaching, research, and engaged scholarship. The processional will start from the Communication and Fine Arts Building at 1:30 pm.

Study Week (formerly known as Dead Week), Reminder that no student social or athletic functions shall be scheduled during Study Week, which is the four-day period preceding final examinations (April 27-30, 2009).

Spring 2009 Commencement, Saturday, May 9, 2009, Times 10 am, Arts & Sciences, Communication and Fine Arts, University College, Communication and Fine Arts, University College, Doctoral Hoodings for these Colleges and Schools; 2pm Business & Economics, Education, Engineering, Nursing & Audiology and Speech Lang Pathology, Doctoral Hoodings for these Colleges and Schools. The Law School Commencement for May 2009 will be on Sunday, May 10 at 3:00 pm at the Rose Theatre. Additional information can be found at: <http://saweb.memphis.edu/commencement/>

04.07.09.08 ADJOURN

President E. Perry adjourned the meeting ended at 4:20 p.m.