



## Minutes of the Faculty Senate

**Presiding:** Lawrence A. Pivnick (Law)

**Date:** 11-08-11

**Secretary:** Cynthia G. Tucker (English)

**Senators Present:** Narahari B. Achar (Physics), Pilar Alcalde (Foreign Lang & Lit), Thomas E. Banning (Engr Tech), David C. Burchfield (Public Health), Gloria F. Carr (Nursing), Mark H. Danley (Univ Libraries), Dipankar Dasgupta (Computer Science), Richard D. Evans (Fin, Ins, & Real Estate), Tomoko Fujiwara (Chemistry), Thomas Hrach (Journalism), Wade M. Jackson (Mang Info Systems), A. Katherine Lambert-Pennington (Anthropology), Anita Jo Lenhart (Theatre & Dance), Gladius Lewis (Mechanical Engr), James M. Lukawitz (Accountancy), David G. Matthews (Communication), Cedar L. Nordbye (Art), Lawrence A. Pivnick (Law), Jose M. Pujol (Earth Sci), Kevin M. Sanders (Music), Steven D. Schwartzbach (Biology), Arwin D. Smallwood (History), Sharon A. Stanley (Political Science), R. Jeffery Thieme (Mrktng & Suply Chain Mang), Cynthia G. Tucker (English), K. B. Turner (Crim & Criminal Justice), Junmin Wang (Sociology), John L. Williams (Biomed Engr), James F. Williamson (Architecture), and Yonghong Xu (Couns, Ed, Psy & Res)

**Senators Present by Proxy:** Terra L. Smith (Health & Sports Sci) Yuhua Li, Gregory Washington (Sch Urb Aff & Pub) M. Elena Delavega, and Robert R. Wiggins (Management) Carol Danehower

**Senators Absent:** Jeffery S. Berman (Psychology), Shaum P. Bhagat (Comm. Sci. Disorders), Economics (vacant), Elec & Computer Engr (vacant), Michael M. Grant (Instr & Curr Ldrship) Reginald L. Green (Leadership), Robert Kozma (Mathematical Sciences), Billy E. Lawson (Philosophy), Edward J. May (Military Sciences, Naval Sci), Larry W. Moore (Civil Engr), Univ College (vacant)

**TBR Representative and Faculty Senate Information Officer:** Thomas E. Banning

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

The three-hundred-and-ninety-fourth meeting of the University of Memphis Faculty Senate was held Tuesday, November 8, 2011, in the Senate Chambers, Room 261 of the University Center.

### **11.08.11.01 Call to Order**

The meeting was called to order at 2:40 p.m. with a quorum present.

### **11.08.11.02 Approval of Agenda**

The agenda was approved as submitted.

### **11.08.11.03 Approval of Minutes**

The minutes from our October 11 meeting were approved as submitted.

**11.08.11.04 New Senators Welcomed:** President L. Pivnick welcomed David C. Burchfield (Public Health) and K. B. Turner (Criminology & Criminal Justice) with their election to the Faculty Senate (FS). We still need representatives from Economics, Engineering Technology and University College.

### **11.08.11.05 President's Report**

1. Meeting with President Raines (Oct 20): President L. Pivnick brought to her attention the recent motions passed by the FS: The President favors faculty using sick leave pay in such cases as when a mother is nursing a newborn or when a father stays home to help out. President Raines will bring this up with the TN Board of Regents (TBR) committee. The language regarding the Tenure & Promotion process is still on hold. President Raines favors extra compensation if a faculty member goes on leave and the needed teaching cannot be done by an adjunct. In such cases, extra compensation could be provided.

2. Joint Senate Meeting UTHSC and UofM: President L. Pivnick has spoken with his University of Tennessee Health Science Center (UTHSC) counterpart Faculty Senate President, Lawrence "L.B. " Brown, who will speak to his Senate Executive Committee and try to find dates in February where our groups can meet.

3. Faculty & Staff Lounge : An informal committee composed of interested faculty senators: R. Evans, J. Williamson, L. Pivnick, and C. Nordbye have looked at the vacant space on the 12<sup>th</sup> floor of Wilder Tower as a possible place create a lounge for the faculty and staff. While President Raines did not answer directly when President L. Pivnick asked if we could have this space, she said it was reserved for research projects and that if she gave it to faculty, staff would want a comparable facility. President L. Pivnick replied that it could be called the faculty and staff lounge, and that would accommodate everyone. J. Williamson has offered to do the architectural plans at no charge, and President L. Pivnick thinks this could be put together by the end of the Centennial Celebration. Dr. Raines said Faculty Senate will have to suggest a budget and how it will be funded.

5. Administrative Council Meetings: is currently on hold. However, President L. Pivnick discussed the Program Review schedule for 2011, also called budget hearings: These meetings begin taking place this week. We hope there will be a senate representative from a specific school/college/etc attending the meetings. In cases where only the college meets, senators representing the college's member departments should decide among themselves which one will attend.

6. Dealing with Disruptive, Disturbed and Dangerous Students: The issue of offering faculty training on how best to deal with disruptive, disturbed or dangerous students was raised at a meeting of the Graduate Council. The university legal counsel and others are improving that tutorial by creating a more specific list of circumstances and modes of response to help faculty decided how and when to intervene. President L. Pivnick would like this list, once produced, to

be studied by one of our standing committees, who would then report to the FS and bring any warranted motion for action.

#### **11.08.11.06 President-Elect's Report:**

1. Faculty Subcouncil Meeting: T. Banning reported that the Faculty Subcouncil is attempting to see a copy of a TBR document that proposes a softening of penalties on students who plagiarize late in the semester. TBR lawyers fear that the slow pace of the misconduct grade appeal process might unfairly jeopardize students' scholarships. They would like to limit instructors to assigning an F to the corrupted assignments and not allow them to fail the students for the entire course. No faculty were involved in formulating this language, and the Subcouncil is taking steps to remedy this.

2. Back Pay for Wrongful Termination: T. Banning report that Tennessee University Faculty Senates (TUFS) is trying to get the legislature to produce an unambiguous statute approving back pay for university faculty who have been wrongfully terminated that says if a university professor is wrongfully terminated. Currently, only faculty teaching in higher education lack fully protected rights to lost wages if terminated unlawfully. When in a recent case TBR approved such back pay, its decision was overturned by an appellate court because there was no clear legislation in place.

#### **11.08.11.07 Committee on Committees Nominations**

Nominations are being sought for vacant faculty seats on two Business & Finance Standing Committees, (1 nomination each): Facilities & Services Committee, Fee/Refund Appeals Committee.

#### **11.08.11.08 New Business**

J. Lenhart suggested the FS invite a representative from the University Counseling Center (Office of the Vice President for Student Affairs) to discuss what programs they have in place. She will bring a motion to that effect when we meet on December 6. In the meantime, the members instructed President L. Pivnick to invited the professional staff from Student Services to address the members at the December 6, 2011 Faculty Senate meeting.

#### **11.08.11.09 Old Business**

1. Tenure & Promotion Language (3<sup>rd</sup> year proposal): President L. Pivnick has only recently heard in his meeting with President Raines that the administration's draft of an amendment to the Faculty Handbook's T & P policies would be acceptable to her and the provost as is, and that the administration's drafts of alternative language in recent years have only been suggested as less ambiguous versions intended to be for the faculty's benefit.

2. Survey of Faculty on T&P Language: The FS wrestled with trying to pare down and sharpen the draft of the form to be sent in the FS survey about what kind of T&P language our colleagues support. After a long and productive discussion of how this survey should read, the draft proposed by the EC was whittled down to this version:

## Survey

Question One - Are you (a) tenured, (b) on tenure track, or (c) non tenure track?

Question Two - I support:

(a) Addition currently proposed by administration:

"As departmental, college, and university standards for tenure evolve, the expectations for faculty members seeking tenure will also evolve. When faculty members apply for tenure, they do so under the guidelines and criteria in effect at the time of their third year review."

(b) Addition currently proposed by Faculty Senate in the fall 2011 term:

"Departmental, college, and university standards for tenure evolve, but when faculty members apply for tenure, they do so under the guidelines and criteria in effect at the time of their hire."

Although there was broad, strong support for this version, some senators still had concerns about phrasing that seemed to warrant attention, and other options. Since we had no more time, C. Tucker moved, and the body agreed, that the issue be tabled until our next meeting, December 6, 2011.

### **11.08.11.10 Announcements**

1. Centennial Anniversary (2012). To learn more about this year-long celebration, visit <http://www.memphis.edu/centennial/>
2. Centennial Campaign "Empowering the Dream": Co-Chairs Charles J. Biggers and Calvin Strong have set a goal of \$250 million.
3. Program Reviews: These will take place from Nov 8-10 and Nov 21-22, 2011 in UC352, the Fountain View board room
4. Employee Charitable Giving Campaign: Now underway, this campaign ends November 15. Faculty are urged to contribute using one-time or monthly payroll deductions to a charity of their choice
5. Next Meeting of Faculty Senate: Dec 6, 2011

**11.08.11.11 Adjournment:** The meeting was adjourned at 4:30 p.m.