



Minutes of the Faculty Senate

Presiding: Wade M. Jackson (Business Information Tech)

Date: 2-16-16

Secretary: R. Jeffrey Thieme (Mrktng & Suply Chain Mang)

Senators Present: Charles D. Bailey (Accountancy), Thomas E. Banning (Engr Tech), Vania Barraza Toledo (Foreign Lang & Lit), M. Jerome Bartholomew (Earth Sci), Brennan K. Berg (KWS), Gerald Chaudron (Univ Libraries), Charles W. Crawford (History), Richard D. Evans (Fin, Ins, & Real Estate), Ladrica C. Menson-Furr (English), Donald R. Franceschetti (Physics), Max Garzon (Computer Science), Michail Gkolias (Civil Engr), Robert A. Hetherington (Theatre & Dance), Meghan E. McDevitt-Murphy (Psychology), Wade M. Jackson (Business Information Tech), Donna R. Jones (Law), Benwari Kedia (Management), Henry A. Kurtz (Chemistry), Erno Lindner (Biomed Engr), Gray Matthews (Communication), James C. McCutcheon (Crim & Criminal Justice), Lorraine Meiners-Lovel (Univ College), Mitsunori Misawa (Leadership), Michael Schmidt (Art), David W. Spencer (Music), Micah M. Trapp (Anthropology), Walter H. Manning (Comm. Sci. Disorders), Jeffrey G. Marchetta (Mech Engr), Dursun Peksen (Political Science) George E. Relyea (Public Health), Aaron L. Robinson (Elec & Computer Engr), Steven D. Schwartzbach (Biology), Nicole Thompson (Instr & Curr Ldrship), R. Jeffery Thieme (Mrktng & Suply Chain Mang), William P. Travis (Health & Sport Sci), Somogy Varga (Philosophy), Joseph C. Ventimiglia (Sociology), Máté Wierdl (Mathematical Sciences), James F. Williamson (Architecture), Jin Yang (Journalism), Stephen A. Zanskas (Couns, Ed, Psy & Res)

Senators Present by Proxy: Jill A. Dapremont (Nursing) Kimberly A. Catron, Susan L. Neely-Barnes (Social Work) Catherine A. Simmons

Senators Absent: Economics (vacant), Military Sciences (vacant), Sch Urb Aff & Pub (vacant)

TBR Representative: Michail Gkolias (Civil Engr)

Faculty Senate Information Officer: absent

Guests: M. David Rudd (Office of President), Karen Weddle-West, Richard Irwin, Janis Brownlee, and Dean Franklin (Office of Provost), Linda A. Bennett (UMAR) and Gloria F. Carr (Faculty Ombudsperson) and other faculty

Media Guest: Daily Helmsman

The four-hundred-and-thirty third meeting of the University of Memphis Faculty Senate (FS) was held Tuesday, February 16, 2016, in the Senate Chambers of the University Center (room 261).

2.16.16.01 Call to Order

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

2.16.16.02 Approval of Agenda

The agenda was approved as written.

2.16.16.03 Approval of Minutes

The minutes of the January 26, 2016 meeting were approved as written. Senator Thieme commented that the goal to get the draft minutes to the members within a two week time frame didn't work out. However, he would like to implement an alternative method. The new goal will be to provide members with a one page summary of the major business that was accomplished in the meeting by the end of the week of the meeting. The main purpose of this effort is to provide Senators information on the important business of the FS to aid them as they inform their department faculty of what the FS is doing.

2.16.16.04 President's Report

President Jackson informed the Senate that University President M. David Rudd will be attending today's meeting to discuss the Focus On College and University Success (FOCUS) Act. The Act will create local boards for the TN Board of Regents (TBR) universities. University President Rudd is scheduled to arrive at 3:45 p.m. The Senate will continue with its business until he arrives.

President Jackson reported that he has not received a response for Provost Karen Weddle-West on the proposals of the Faculty Senate Compensation Committee. He has several communications (e-mail and direct contact) with her regarding the matter.

President Jackson reminded the Senate that at its October 6, 2015 meeting, the FS recommendation that faculty be provided cap and gown rental for graduations when they are required to attend was submitted to administration and rejected. However, the same office that rejected the proposal has now communicated to the campus that cap and gown rental for faculty required to attend commencement will be paid for by the Office of the Provost.

2.16.16.05 President Elect's Report

President Jackson requested Senator Wierdl to report on his attendance at the January 29 meeting of the TBR Faculty Subcouncil. Senator Wierdl attended the meeting instead of President-Elect and TBR Faculty Subcouncil Representative Senator Gkolias.

Senator Wierdl reported general statements made by Vice Chancellor Tristan Denley to the subcouncil on: 1). The TN Higher Education Commission (THEC) funding formula and 2) autonomy for four-year schools.

Senator Wierdl also relayed general statements made by outgoing Chancellor Morgan to the subcouncil: The Chancellor doesn't understand the FOCUS Act bills, he tried to opt out of facilities management, the financial exigency policy might change, faculty should pay attention to possible changes to tenure and academic freedom, and faculty should keep a close watch on the Faculty Handbook.

Senator Wierdl encouraged Senators to read the letter from Professor Alfred Lutz, English, Middle TN State University (MTSU), about his list of major concerns about the separation from TBR and the FOCUS Act, HB 2578.

2.16.16.06 Report of Executive Committees

Senator Gkolias spoke to the Resolution on behalf of the EC: Guns on Campus Resolution (ref: bills-HB1736/SB2376). Senator Gkolias reported that legislation has been filed that would require state universities to allow permit-holding faculty and staff to store their weapons on campus. HB1736/SB2376 “permits full-time employees of state public colleges or universities to carry a handgun while on property owned, operated, or used by the employing college or university if the employee has a valid Tennessee handgun carry permit.” HB2131/SB1991 “prohibits public postsecondary institutions from taking any adverse action against an employee or student as a result of such person's lawful transportation and storage of a firearm or ammunition in the person's parked motor vehicle.”

On September 6, 2011, the UofM Faculty Senate passed a resolution expressing faculty support for current state policy prohibiting guns on campus and urging that the policy not be changed.

The following resolution/motion was brought to the floor:

THE FACULTY SENATE OF THE CAMPUSES OF THE UNIVERSITY OF MEMPHIS

WHEREAS the Faculty Senate and Faculty of the University of Memphis are concerned about campus safety, and the welfare of students, faculty, staff, and visitors to our campuses, and

WHEREAS America's colleges and universities are among the safest environments, and

WHEREAS even on gun-free campuses students, faculty, staff, and visitors are occasionally exposed to threats and retaliation from disgruntled or disturbed individuals, and

WHEREAS the knowledge that individuals could be carrying concealed weapons would increase the tension in such situations, and

WHEREAS weapons can be a threat to academic integrity, and

WHEREAS colleges and universities need to retain the right to self-governance, and

WHEREAS more guns would probably result in more fatal suicide attempts, a particular concern given the vulnerability of the traditional college-aged student, and

WHEREAS, by facilitating the escalation of disputes into violent and perhaps fatal confrontations, allowing guns on campus would increase the risk for gun-related violence on college campuses and the surrounding communities, and

WHEREAS, in the highly unlikely event of an attempted mass shooting, other armed students and staff, who would not be trained in how to respond in such a crisis, could open fire and injure or kill people in the crossfire, and

WHEREAS university and college police forces (with the assistance of local law enforcement and other first responders) are the appropriate individuals to handle those infrequent events of violence, and

NOW BE IT THEREFORE RESOLVED THAT the Faculty Senate of the Memphis campuses of the University of Memphis supports the current state policy prohibiting the possession of firearms on campus, and

BE IT FURTHER RESOLVED THAT the Faculty Senate of the Memphis campuses of the University of Memphis strongly opposes any legislation that would alter the current policy, and

BE IT FURTHER RESOLVED THAT the Faculty Senate of the Memphis campuses of the University of Memphis urges legislators to vote against any such legislation, and

BE IT FURTHER RESOLVED THAT the Faculty Senate of the Memphis campuses of the University of Memphis encourages the General Assembly of the State of Tennessee to give high priority to campus safety and to support additional resources which allow for continued improvements that will aid campuses in their efforts to maintain safety and security.

Approved by voice vote on February 16, 2016.

2.16.16.07 Reports of Standing Committees

Administrative Policies Committee chair, Senator Marchetta, informed the Senate that the Office of Legal Counsel and Police Operations at the UofM are working together to establish a committee called the Clery Committee. They are requesting a representative from the Faculty Senate to be a member of the Committee. The purpose of the Committee will be to oversee the University's efforts to comply with regulations and requirements set forth in the Clery Act. In addition, the committee will review policies to ensure that documentation, communication, and implementation of procedures are in place and functioning. Senator James C. McCutcheon (Crim & Criminal Justice), member of the Administrative Policies Committee, volunteered to serve as the Faculty Senate representative on the Clery Committee. The Senate accepted the self-nomination.

Approved by voice vote on February 16, 2016.

Faculty Policies Committee chair, Senator Kurtz, informed the Senate that the committee had received a charge from the EC at the request of Dr. Eddie Jacobs, chair of the process improvement team for faculty sick leave. The Senate committee provided feedback to Dr. Jacobs on the draft Faculty Sick Leave Policy by the Friday, February 5, 2016 deadline. Senator Kurtz stated that we have no policy on the appropriate management and use of sick leave by faculty and administrators. The University is concerned that faculty who incur sick leave don't always report that sick leave. This accrual can leave the University with very large financial commitments. NOTE: Per Dr. Jacobs, The IT representation on the process improvement team needs to look at recommendations to modify our current 12-month faculty/staff leave system to add 9-month faculty and allow them to simply import sick leave adjustments as needed.

Senator Kurtz reviewed some relevant facts shared by Dr. Jacobs with the Faculty Policies Committee:

1. Faculty sick leave is designed by TBR to cover a faculty member if they are absent from teaching, research, or service responsibilities due to illness.
2. Being sick and absent, even if your responsibilities are covered, is when sick leave is to be taken according to TBR (see TBR P-062).
3. Being sick and absent, even if your responsibilities are covered, and not reporting sick leave is fraud.
4. The University is currently making several large payouts to beneficiaries of those who have died while in employment and have zero recorded hours of sick leave.

The administration wants to have a new policy in place by next August.

President Jackson informed the Senate that he attended an Academic Freedom, Social Media Committee meeting this morning. At the meeting he learned that a new policy would be forthcoming.

Library Policies Committees chair, Senator Meiners-Lovel, informed the Senate that the committee received a charge from the EC at the request of University Libraries faculty via their representative, Senator Chaudron, to evaluate the documents: Department head description and faculty responsibilities. The attached documents have been produced by the Dean of University Libraries, Sylverna V. Ford. The committee found the documents to be extremely detailed and overly prescriptive, but nothing of significant concern was noted. The committee findings were shared with Senator Chaudron and no further action will be taken by the Senate.

2.16.16.08 President Elect's Report

President-Elect Gkolias spoke on the Graduate Council's proposal for the formation of a task force composed of two administrators and two faculty in lieu of the Senate's motion to add four representatives per council and oversight over elections. Dr. Berman and Senator Gkolias were self-nominated to serve on the task force. In response to a question about Dr. Berman not being a Senator, President Jackson stated that anyone could volunteer to serve and that Dr. Berman was a former Senator and current Graduate Council representative for the Senate who was familiar with the issues. After discussion, President Jackson offered to replace Senator Gkolias, who agreed to the replacement. The Senate approved the nominations of Dr. Berman and President Jackson to serve on the task force.

Approved by voice vote on February 16, 2016.

Senator Williamson asked if the Provost had given a response to the inquiry on the ad hoc Compensation Committee report. President Jackson responded that he reached out for a response but nothing has been received. Senator Williamson wanted to know what recourse or action the Senate could take to get a response from the Provost. An inquiry was made of the Parliamentarian, who informed the body that a resolution could be made.

Senator Wierdl asked about the Senate's request to the Provost regarding the request for contract information. President Jackson stated he had not received a response, but agreed to communicate this concern with the Provost.

Discussion ensued on the FOCUS Act, including comments made by the outgoing TBR Chancellor. Senator Matthews asked if there was a method for faculty to convey feedback on the FOCUS Act. President Jackson stated that feedback could be submitted to President Rudd. President Jackson asked if the Senate would like to create an ad hoc committee to review the FOCUS Act and associated bills and provide input to President Rudd on behalf of the Senate. The Senate agreed. Senators Kurtz, Matthews and Wierdl volunteered to serve on the ad hoc FOCUS Act feedback committee. Senator Kurtz will serve as chair of the committee.

Adopted by voice vote on February 16, 2016.

The Senate took a break in the meeting until University President Rudd's arrival.

2.16.16.09 Guest Speaker: M. David Rudd, University President

President Jackson introduced University President Rudd to provide an update on the FOCUS Act, the proposed legislation that would create an independent governing board for the University. University President Rudd stated that he will testify tomorrow to the state Education Committee, there is no opposition to the legislation, and everything is moving forward at a rapid pace. Now is the time to address concerns.

President Jackson expressed concern about faculty input in this process. University President Rudd was asked if the meetings were subject to the open meeting laws. He responded that they were. He also stated that the workload of the board would be heavy and faculty should think carefully about the purpose of the board. In response to a question from Senator Kurtz, University President Rudd answered that all of the current policies on promotion and tenure would stay in place. He also mentioned that the role of THEC will be enhanced with the new structure.

University President Rudd will report to the board and will be held accountable to the board. He encouraged faculty to stay engaged in the transition process to the governing board. Other highlights of the discussion include:

- The faculty member on the board shall serve a term of two years (previously this was one year).
- The current tenure and promotion policies to remain in place at the TBR level.
- There will be a faculty and student representative on the governing board.
- To view information on the Focus Act, please visit the Office of the Governor's website at: <https://www.tn.gov/governor/article/2016-legislation-focus-on-college-and-university-success-focus-act> .
- Faculty will select the faculty representative on the governing board.

University President Rudd Agreed UofM faculty salaries are at least 10% to 20% below peer institutions on average. President Rudd is committed to long-term incremental plan for salary increases. Increases will address both compression and overall parity.

University President Rudd thanked the Senate and encouraged them again to visit the Governor's web site on the board and read the proposed legislation. University President Rudd will provide an update after the meeting tomorrow.

Postscript: President Rudd sent an email dated Wednesday, February 18, noting that the language regarding the selection of the faculty representative to the new board will be made "in a manner determined by the Faculty Senate of the respective institution."

2.16.16.10 Old Business

President Jackson informed the Senate that University President Rudd, Provost Karen Weddle-West, and Vice Provost Richard Irwin accepted the Senate's invitation to respond to the Senate concerns with the Alternative Credit Project (ACP) which resulted in a tabled motion in the last Senate meeting. President Jackson began the discussion by asking two general questions on behalf of the Senate: 1) Why wasn't the ACP program vetted by the faculty prior to implementation and 2) Why did it not stop after the Senate passed a resolution stating that it should be shut down immediately?

Provost Weddle-West thanked the Senate for the opportunity to address these issues. She referred to a handout she distributed and stated that there were a number of miscommunications that created the issues. Vice Provost Irwin summarized the rationale for the Finish Line program and the role that the ACP plays in that program. Provost Weddle-West and Vice Provost Irwin believed that the program had been properly vetted because it had gone through the Undergraduate Council. However, in retrospect, they now realize that department curriculum committees and department chairs should have also been involved in vetting the program. Both Provost Weddle-West and Vice Provost Irwin apologized for the miscommunication. Provost Weddle-West stated that the pilot project has been shut down and removed from all associated web sites until it has been properly vetted. It is scheduled to end in August 2016. In conclusion, Provost Weddle-West stated that she thought this discussion was beneficial.

Senator Banning reminded Senators to send feedback on the FOCUS Act and the new board to Senator Kurtz so the ad hoc committee can review it and report to University President Rudd.

2.16.16.11 Announcements

Black History Month, Feb 1-29, 2016, theme, Hallowed Grounds: Sites of African American Memories. More information visit

http://www.memphis.edu/multiculturalaffairs/pdfs/bhm_calendar.pdf

February is American Heart Month, and this year the CDC and Million Hearts® – a national effort to prevent one million heart attacks and strokes in the United States by 2017 – are encouraging Americans to know their blood pressure. Normal blood pressure is systolic pressure less than 120 and diastolic pressure less than 80 mm Hg. Exercise is a great way to help control your blood pressure.

Women's History Month, interested (individually or organization) in participating in this campus-wide event. With deadlines quickly approaching, contact Stephanie Blaisdell (sblsdell@memphis.edu). More information visit www.memphis.edu/whm

Offensive E-Mail Communications Reminder, If you receive an electronic communication that you regard as offensive, threatening, or suspicious, please forward it to abuse@memphis.edu.

2.16.16.12 Adjournment

The meeting adjourned at 5:26 pm.